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SAN FRANCISCO
CITY PLANNING COMMISSIONSAN FRANCISCO
PLANNING DEPARTMENT

Minutes of the Regular Meeting held Thursday, January 4, 1979.

The City Planning Commission met pursuant to notice on Thursday, January 4, 1979, at 1:30 p.m. in Room 282, City Hall.

PRESENT: Toby Rosenblatt, President; Ina F. Dearman, Vice-President; Susan J. Bierman, Thomas Miller, Yoshio Nakashima, Charles Starbuck and John Wentz, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; Robert Passmore, Planner V (Zoning); George Williams, Assistant Director of Planning (Plans and Programs); Charles Gill, City Planning Coordinator; Lee Woods, Jr., Secretary.

Gerald Adams represented the San Francisco Examiner and Dan Borsuk represented the San Francisco Progress.

APPROVAL OF MINUTES

It was moved by Commissioner Bierman, seconded by Commissioner Wentz and carried unanimously that the minutes of the Regular Meeting of October 20 and December 22, 1977, be approved as submitted.

CURRENT MATTERS

Commissioner Starbuck made the following requests:

1. That staff provide the Commission with a copy of the Capital Improvements Budget.
2. That staff determine if there is money in the Capital Improvements Budget for emergency services.
3. With respect to future Conditional Use applications for public and private buildings, that consideration be given to requiring secure bicycle storage.

LM.78 - CONSIDERATION OF THE HOLBROOK BUILDING, 50-68 SUTTER STREET; LOT 4 IN ASSESSOR'S BLOCK 289, FOR DESIGNATION OF BUILDING AND SITE AS A LANDMARK.

LM.78 - CONSIDERATION OF THE ANGLO AND LONDON PARIS NATIONAL BANK, ONE SANSOME STREET; LOT 3 IN ASSESSOR'S BLOCK 289, FOR DESIGNATION OF BUILDING AND SITE AS A LANDMARK.

J. P. Mahoney, owner of One Sansome Street and 50-68 Sutter Street, asked if both matters could not be heard simultaneously. The Commission agreed.

A case report was available for each matter. Each case report was summarized by Robert Passmore, Planner V (Zoning).

Speaking as a proponent of designation, Robert Berner, President of the Foundation for San Francisco's Architectural Heritage, said that there was no question that the One Sansome Street building should be designated. The Holbrook Building is important in its own right, he said.

Mr. Berner said that Mr. Mahoney knew before purchasing that both buildings were being considered in the context of designation.

Mr. Berner concluded his presentation by saying that designation would not result in any additional delay for Mr. Mahoney and that designation would motivate the search for alternatives to demolition or the search for appropriate mitigation measures.

J. P. Mahoney, real estate developer proposing development on the sites, said that he was not unsympathetic to preservation but that he opposed designation. He said that he was not notified of the Landmarks Board Hearing on the Holbrook Building.

Charles Hasbrook, representing the firm of Charles Hall Page, discussed the One Sansome Street Building (the Anglo and London Paris National Bank) in the context of traditions in Architecture. As a representative of the Beaux Arts Period. He said that the building was not that unique.

Ed Sewall, of J. P. Mahoney and Company, said that there were approximately 600 buildings in San Francisco which represent the Beaux Arts Period. Most of these buildings, he said, are not in any danger.

Dr. Russ Ellis, of the University of California at Berkeley, said that he hoped to frame a context for a decision on designation. Dr. Ellis said that the built environment implied intention. The city, he said, has changed in terms of its composition of people and institutions. Two questions to be asked, he said, are: How does a current decision open the city to new uses and new people and how is it possible to increase the range of visible intentions to accommodate change..

Commissioner Starbuck said that he disagreed with Dr. Ellis. The Commission, he said, has the long run view to consider.

Rai Y. Okamoto, the Director of Planning, said that accessibility could be an issue in the context of preservation as well as new construction.

Ray Jacobs said that neither building was unique. We oppose designation. It will delay development and jobs, he said.

Commissioner Bierman, responding to Mr. Jacobs, pointed to what she said was a substantial number of projects approved by the Commission for the downtown.

Mike Webber, a resident of San Francisco, said that the City needed more landmarks.

G. B. Platt, President of the Landmarks Board, said that Article 10 of the City Planning Code did not require notice to property owners. She said that designation would result in no delay to Mr. Mahoney, but it will give us that much more ability to deal with development on the landmark sites.

In giving the staff redommendation, Mr. Passmore said that there was no policy not to initiate designation after the announcement of development plans. Mr. Passmore said that the staff was prepared to recommend designation of One Sansome but not the Holbrook Building.

Commissioner Bierman moved that the Holbrook Building (50-63 Sutter Street) be designated. The motion was seconded by Commissioner Starbuck who said that he would trust the judgement of the Landmarks Board.

Commissioner Wentz said that in his opinion the two buildings were different. I don't see them in the same grandstand, he said.

The motion for designation passed by a vote of 4-3 as City Planning Commission Resolution No. 8140. (Voting yes: Commissioners Bierman, Dearman, Starbuck, Rosenblatt; voting no: Commissioners Miller, Nakashima, Wentz.)

Commissioner Dearman moved approval of the staff recommendation for designation of One Sansome Street (the Anglo and London Paris National Bank Building). The motion was seconded by Commissioner Wentz and passed unanimously as City Planning Commission Resolution No. 8141.

At this time, President Rosenblatt indicated that the applicant, with respect to ZM78.13, had requested that the matter be continued to January 18, 1979. He asked if there was any Commission Action.

Commissioner Miller moved that the matter be continued to January 18, 1979. The motion was seconded by Commissioner Nakashima and passed unanimously.

- CU78.66 - PLANNED UNIT DEVELOPMENT (LEVI'S PLAZA PROJECT) CONSISTING OF APPROXIMATELY 856,000 SQUARE FEET OF OFFICE AND COMMERCIAL SPACE IN FIVE BUILDINGS, 370 DWELLING UNITS, 1175 OFF-STREET PARKING SPACES IN THREE GARAGES, AND 120-170,000 SQUARE FEET OF LANDSCAPED YARD REQUIREMENTS, EXCEEDING BULK PROVISIONS OF THE 84-E HEIGHT AND BULK DISTRICT, WITH AN AREA EXCEEDING 3 ACRES IN THE NORTHERN WATERFRONT SPECIAL USE DISTRICT NO. 3, IN A C-2 (COMMUNITY BUSINESS) DISTRICT. AREA GENERALLY BOUNDED BY THE EMBARCADERO, FRONT, UNION, SANSOME, GREENWICH, MONTGOMERY, LOMBARD, WINTHROP, CHESTNUT, MONTGOMERY, LOMBARD, SANSOME, GREENWICH AND THENCE THE EMBARCADERO, IN ASSESSOR'S BLOCKS 60, 80, 83, 84, 85, 107 AND 108; LOTS 1-3 IN ASSESSOR'S BLOCK 85 AND LOT 1 IN ASSESSOR'S BLOCK 60.
(CONTINUED FROM THE MEETING OF DECEMBER 14, 1978.)
- CA78.30 - CERTIFICATE OF APPROPRIATENESS AT 1101 BATTERY STREET, NORTHWEST CORNER AT UNION STREET (CARGO WEST BUILDING); LOT 6 IN ASSESSOR'S BLOCK 107, FOR EXTERIOR ALTERATIONS TO DESIGNATED LANDMARK.
(CONTINUED FROM THE MEETING OF DECEMBER 14, 1978.)
- CA78.31 - CERTIFICATE OF APPROPRIATENESS AT 1265 BATTERY STREET, SOUTHWEST CORNER AT GREENWICH STREET (ITALIAN SWISS COLONY BUILDING); PORTION OF LOT 1 IN ASSESSOR'S BLOCK 84, FOR EXTERIOR ALTERATIONS TO DESIGNATED LANDMARK.
- RS78.75 - JOINT PUBLIC HEARING WITH THE DEPARTMENT OF PUBLIC WORKS ON TENTATIVE MAP OF CONDOMINIUM SUBDIVISION OF APPROXIMATELY 201-UNITS. PROPERTY BOUNDED BY SANSOME, GREENWICH, MONTGOMERY AND LOMBARD STREETS; ASSESSOR'S BLOCK 80.
(CONTINUED FROM THE MEETING OF DECEMBER 14, 1978.)
- RS78.76 - JOINT PUBLIC HEARING WITH THE DEPARTMENT OF PUBLIC WORKS ON TENTATIVE MAP FOR CONDOMINIUM SUBDIVISION OF APPROXIMATELY 169-UNITS. PROPERTY BOUNDED BY MONTGOMERY, LOMBARD, WINTHROP AND CHESTNUT STREETS; ASSESSOR'S BLOCK 60.
(CONTINUED FROM THE MEETING OF DECEMBER 14, 1978.)
- R78.22 - CLOSING TO VEHICULAR TRAFFIC OF FILBERT STREET BETWEEN THE EMBARCADERO AND SANSOME STREET.
(CONTINUED FROM THE MEETING OF DECEMBER 14, 1978.)

With respect to CA78.30, CA78.31, RS78.75, RS78.76 and R78.22, the Commission agreed that it would take public testimony and consider these matters concurrently with CU78.66.

With respect to RS78.75 and RS78.76, joint public hearings with the Department of Public Works, George Woo represented the Department of Public Works.

Prior to the commencement of the public testimony, President Rosenblatt indicated that the staff was prepared to recommend that EE78.274 (Appeal of Negative Declaration on the Elsie Street Widening, 100 Block of Elsie Street, Southwest of Esmeralda Avenue to Virginia Street, Between Assessor's Blocks 5618 and 5619.) be continued. If there is no objection, he said, the Commission will continue this matter to January 18, 1979.

In the absence of objection, Commissioner Dearman moved that the matter be continued to January 18, 1979. The motion was seconded by Commissioner Starbuck and passed unanimously.

At the conclusion of public testimony and the close of the public hearing, President Rosenblatt asked the Director if there was a staff recommendation.

Rai Y. Okamoto, Director of Planning, indicated that there was a draft resolution before the Commission and that the staff recommendation was for approval with conditions.

With respect to items CA78.30, CA78.31, RS78.75 and RS78.76, Commissioner Starbuck moved approval. The motion was seconded by Commissioner Bierman. CA78.30 was approved, with conditions, unanimously as City Planning Commission Resolution No. 8143. CA78.31 was approved, with conditions, unanimously as City Planning Commission Resolution No. 8144. RS78.75 was approved, with conditions, unanimously as City Planning Commission Resolution No. 8145. RS78.76 was approved, with conditions, unanimously as City Planning Commission Resolution No. 8146.

With respect to R78.22, Commissioner Starbuck moved that the Director be authorized to report that the matter was in conformity with the Master Plan. The motion was seconded by Commissioner Bierman and passed unanimously.

Commissioner Starbuck moved that the draft resolution, related to CU78.66, for approval with conditions, as amended, be approved. The motion was seconded by Commissioner Bierman and passed unanimously as City Planning Commission Resolution No. 8142.

A court reporter was present and a transcript of the proceedings is available in the files of the Department of City Planning for reference purposes.

Before the Commission commenced the hearing of Calendar item No. 14, DR78.83, Buck Bagot, of the Northwest Bernal Block Club, asked the Commission to reconsider its action with respect to EE78.274. Mr. Bagot said that neighborhood representatives had been present and had been prepared to argue for a continuance to February 8, 1979. The staff, he said, assured us that it would be continued to that date.

President Rosenblatt explained to Mr. Bagot that the Commission could not recind its action. He asked that Mr. Bagot confer with staff and suggested that perhaps an agreement for further continuance could be reached with the sponsor of the Elsie Street Widening Plan.

DR78.83 - CONSIDERATION OF DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NO. 7800369 TO CONSTRUCT A SINGLE-FAMILY DWELLING AT 3595 FOLSOM STREET; ASSESSOR'S BLOCK 5627, LOT 23.

Robert Passmore, Planner V (Zoning), said that the staff recommendation was that the Commission take Discretionary Review.

Commissioner Bierman moved approval of the staff recommendation. The motion was seconded by Commissioner Dearman and passed unanimously.

At this time, Commissioner Wentz explained that he had to be in Sacramento early that morning, and he excused himself from the hearing.

DR78.83 - DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NO. 7800369 TO CONSTRUCT A SINGLE-FAMILY DWELLING AT 3595 FOLSOM STREET; ASSESSOR'S BLOCK 5672, LOT 23.

A case report was available. It, and the material contained in the project's negative declaration, were summarized by Robert Passmore, Planner V (Zoning).

Sheila Holman represented a group of residents from the immediate neighborhood.

Pat Hughes, a resident of 3577 Folsom Street, requested that the Commission revoke the permit issued for a single-family construction on Powhattan Avenue. Construction she said, should not be allowed until a development study can be done for the South Slope of Bernal Heights.

Ms. Hughes made reference to a letter from Robert Rose, Chief of the Division of Planning and Research, San Francisco Fire Department, to the Department of City Planning. Mr. Rose, in the letter, said that should Folsom Street be excavated for a sewer line, an emergency vehicle access lane should be kept open at all times on Folsom Street, between Powhattan and Chapman Streets. Responding to Commissioner Bierman, Ms. Hughes said that emergency vehicle access would be blocked by excavation.

Suggesting that a development study was needed for the area, Ron Keller described the area and noted that city services were available only minimally.

Pat Helton, a resident of the area, said that a development study of the area was needed.

Buck Bagot, of the Northwest Bernal Block Club, said that, with respect to the building permit application to 3595 Folsom Street, the negative declaration had been done after the permit had been issued.

Commissioner Bierman asked if a negative declaration was issued after a building permit. Mr. Passmore said not ordinarily.

Jeff Baldwin expressed concern about two pending building permits for Banks Street.

Angie Wright said that the lack of city services, access and parking made rational development difficult on the South side of Bernal Heights.

Mr. McCaulife represented Mr. Matamoros, the applicant. He said that there would be no access problem resulting from the sewer construction. He said that nothing would be done to worsen existing conditions and that the neighborhood would benefit.

Mr. McCaulife said that the Fire Department had indicated that excavation would not be a problem.

R. Matamoros, the applicant, said that standard street construction procedure would be used. Responding to Commissioner Starbuck's concern about a daytime fire, he said that metal plates could be used and would be used to cover the excavated trench at any time.

Mr. Passmore said that the staff recommendation was for approval assuming that emergency vehicle access could be provided at any time during the construction. The recommendation, he said, also includes a provision for Discretionary Review on the South side of Bernal Heights between the Elsie Street and Mullen-Holladay Streets Policy Areas. Further, he recommended that residents of the area be notified of this policy, that builders or developers of the area be required to submit, with a building permit application, information on available services including fire and emergency vehicle access, sewage and water and that the staff explore means by which a development study of the area could be undertaken.

With respect to the building permit application, Commissioner Miller moved approval of the staff recommendation. Having been assured that approval of the permit would not effect adversely future development on the street, Commissioner Nakashima seconded the motion. The motion passed by a vote of 4-2 as City Planning Commission Resolution No. 8148. (Voting yes: Commissioners Miller, Nakashima, Rosenblatt, Starbuck; Voting no: Commissioners Bierman, Dearman; Absent: Commissioner Wentz.)

With respect to the staff recommendation for Discretionary Review and notification, Commissioner Bierman moved approval. It was seconded by Commissioner Nakashima and passed unanimously. (Absent: Commissioner Wentz.)

ZM78.10 - RECLASSIFICATION OF PROPERTY NORTH OF 300 SANTA ROSA AVENUE WITH FRONTAGE ALSO ON PILGRIM AVENUE; LOTS 23, 24 AND 26 IN ASSESSOR'S BLOCK 6793 FROM A P (PUBLIC) DISTRICT TO AN RH-1 (HOUSE, ONE-FAMILY) DISTRICT.

Robert Passmore, Planner V (Zoning), indicated that the proposed reclassification was initiated by the staff. He said that the recommendation was for approval.

Commissioner Nakashima moved approval of the staff recommendation. It was seconded by Commissioner Miller and passed unanimously as City Planning Commission Resolution No. 8147. (Absent: Commissioner Wentz)

Adjournment at 2:45 a.m.

Respectfully submitted,

Lee Woods, Jr.
Secretary

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SAN FRANCISCO
CITY PLANNING COMMISSION
SUMMARY AND MINUTES
OF THE
REGULAR MEETING
HELD

THURSDAY, JANUARY 11, 1979
ROOM 282, CITY HALL
1:00 P.M.

DOCUMENTS DEPT.

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The City Planning Commission met pursuant to notice on Thursday, January 11, 1979, at 1:00 p.m. in Room 282, City Hall.

PRESENT: Toby Rosenblatt, President; Ina F. Dearman, Vice-President; Susan J. Bierman, Thomas Miller, Yoshio Nakashima, Charles Starbuck and John Wentz, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Rai Okamoto, Director of Planning; George Williams, Assistant Director of Plans and Programs; Robert Passmore, Planner V (Zoning); Wayne Rieke, Planner IV; Dick Gamble, Planner IV; Barbara Sahm, Assistant Environmental Review Officer; Charles Gill, City Planning Coordinator; Calvin Malone, Planner IV; Sandra Malandra, Planner II; Al McCary, Assistant to the Director; and Lee Woods, Secretary.

Gerald Adams represented the San Francisco Examiner. Dan Borsuk represented the San Francisco Progress. Marshall Kilduff represented the San Francisco Chronicle.

Approval of Minutes of the Special Meeting of January 19, 1978.

Because the Commission had not had time to review the minutes, Commissioner Bierman moved that consideration of the minutes be continued to January 18, 1979. The motion was seconded by Commissioner Starbuck and passed unanimously. (Absent: Commissioners Nakashima, Rosenblatt.)

CURRENT MATTERS

Staff Presentation on the Proposed Expansion of St. Joseph's Hospital.

Acting Director of Planning, George Williams, introduced Wayne Rieke, Planner IV.

Mr. Rieke introduced a memorandum from R. Spencer Steele, Zoning Administrator. Mr. Steele said that on December 28, 1978, it was reported to the City Planning Commission that Building Permit Application No. 7811058 to construct two additions plus a parking deck at St. Joseph's Hospital was under review in the Department of City Planning. It was also reported that the staff had requested additional information in order to be sure that the work would comply with City Planning Commission Resolution No. 7432 which

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authorized the remodeling, but that this additional information had not yet been supplied. After a brief discussion, the Commission, by a vote of 6-1, requested the staff to make a more complete report on January 11, 1979, discussing the issues involved in this permit application.

On Thursday, January 4, 1979, the additional information requested by the staff was supplied in a meeting in the Zoning Administrator's office and the information was confirmed by a letter dated January 5, 1979. A copy of that letter is attached along with a copy of the earlier Planning Commission Resolution. On the basis of this additional information, the staff is prepared to approve the building permit application.

Mr. Rieke said that the staff had had some concern about the phasing aspect of the project. The staff, he said, had some question about the sufficiency of guarantees that the proposed sixth-floor removal would be completed.

Responding to Commissioner Starbuck, Thomas Hsieh, the project architect, said that the phasing provision and the rooftops design was presented to and approved by the previous Commission.

Responding to Commissioner Dearman, Mr. Rieke said that the Commission could either agree with Mr. Steele, or it could ask the Hospital additional questions.

J. J. Brandlin, representing the Hospital, said that the Hospital had made flat commitments in writing to remove the sixth floor. Also, he said that the Hospital agreed to consult with the Department on the color and texture of the proposed rooftop.

Responding to Commissioner Bierman's question about the ultimate disposition of the sixth floor, Mr. Brandlin said that the Hospital was sound financially and that there were operational funds to cover rooftop removal. He said that bonding, for other aspects of the expansion, was based on approval by the previous Commission. We knew, he said, only five days ago of your desire for plans.

Responding to Commissioner Starbuck, Mr. Brandlin said that the Hospital would have no problem with an informational presentation on final plans.

Marilyn Smulyan, representing the Haight-Ashbury Neighborhood Council, said that it was curious that there were plans for everything but Phase III, rooftop removal.

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Commissioner Miller said the Commission had no authority without evidence that conditions were not being met. Resolution of almost everything which comes before the Commission, he said, requires some assumption of good faith.

Commissioner Bierman said that she had heard nothing to reassure her that the sixth floor would be removed.

W. Howard Wortman was presented and represented the Hospital.

Commissioner Bierman moved and later withdrew her motion for a thorough hearing on the Hospital's plans.

Commissioner Starbuck moved that the Commission hear an informational presentation on the final plans. The motion was seconded by Commissioner Miller and passed unanimously. (Absent: Nakashima, Rosenblatt.)

Acting-President Dearman suggested and the Commission agreed to take Items No. 2 and No. 3 before Item No. 4.

PUBLIC HEARING ON A PROPOSED AMENDMENT TO THE RECREATION AND OPEN SPACE ELEMENT OF THE MASTER PLAN OF THE CITY AND COUNTY OF SAN FRANCISCO. THIS PROPOSED AMENDMENT WOULD MODIFY THE CATEGORY "PROPOSED RECREATION AND PUBLIC OPEN SPACE" AS SHOWN ON THE MAP ON PAGE 15 ENTITLED "CITY-WIDE RECREATION AND OPEN SPACE PLAN".

George Williams, Acting Director of Planning, indicated that Richard Gamble, Planner IV, was representing the Department of City Planning.

Commissioner Starbuck indicated that the Open Space Committee, the Recreation and Park Department and the Recreation and Park Commission had requested that this matter be continued indefinitely. Further, he said that there had been a great deal of correspondence related to the rock-outcropping near 14th and Ortega Streets. I would move, he said, that this matter be continued indefinitely but that we calendar an informational presentation for next week on the rock out-cropping. The motion was seconded by Commissioner Bierman.

Hartley Fleishman, representing the owner of the out-cropping property, requested that his client be given notice of any further consideration of the rock-outcropping.

The motion passed unanimously. (Absent: Commissioners Nakashima, Rosenblatt.)

PUBLIC HEARING ON PROPOSED WORK PROGRAM AND BUDGET FOR THE DEPARTMENT OF CITY PLANNING FOR FISCAL YEAR 1979-80.

At this time, Commissioner Bierman left the hearing.

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Noting that the Director of Planning and several Commissioners were absent, Commissioner Wentz moved that this matter be continued at the call of the Director. The motion was seconded by Commissioner Miller and passed unanimously. (Absent: Commissioners Bierman, Nakashima, Rosenblatt.)

EE78.327 - APPEAL OF NEGATIVE DECLARATION FOR A CONDOMINIUM SUBDIVISION
ON BURNETT TERRACE, ASSESSOR'S BLOCK 2718A.
(CONTINUED FROM THE MEETING OF DECEMBER 7, 1978.)

Sandra Malandra, Planner II, summarized the preliminary Negative Declaration. The Appellant, she said, is the Twin Peaks Improvement Association (TPIA).

Ramona Allbright represented Gary Faldesee, President of TPIA. Ms. Allbright said that there was too much development on the hill and that Twin Peaks needed an Environmental Impact Report. In terms of the proposal, she said, there are questions of traffic congestion and safety and emergency vehicle access.

Barbara Sharenstein, an owner of Lot No. 2718A, site of the proposed development, said that neighborhood quality had been fully considered as the project was conceived. Our proposal calls for four (4) less units than we are allowed under the code.

Ms. Sharenstein said that an independent traffic study had been commissioned, and that a landscape architect, a geological engineer and a naturalist had been retained for technical assistance.

Don Hilderbrand, a geological engineer representing the developer, said that he had prepared a report on the site. He said that he had recommendations for a foundation, that drainage would not be an especially difficult problem and that the proposal seemed appropriate.

Bill Pasholinski, the project architect, said that no views from existing buildings would be interrupted.

At this time, Commissioner Dearman left the hearing.

Robert Nielson, an area resident, said that the project was beautiful and that he favored it.

Robert Passmore, Planner V (Zoning), said that the proposal would return to the Commission for a Conditional Use hearing and that for this reason the staff recommendation was for denial of the appeal.

Commissioner Miller moved the staff recommendation for denial of the appeal. The motion was seconded by Commissioner Nakashima and passed unanimously as City Planning Commission Resolution No. 8194.
(Absent: Commissioner Dearman.)

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Having joined the hearing with Commissioners Nakashima and Rosenblatt, Rai Y. Okamoto, Director of Planning, indicated that the Controller's Office was requiring the submission, by January 15, 1979, of preliminary budget information. For this reason, he said, I would like to reopen the Department's Budget Hearing.

He said that the information required by the Controller's Office was contained in a sheet, entitled "Base Budget 1979-80", which Cal Malone, Planner IV, had provided to the Commission. What we require of you, the Director said, is adoption of gross figures representing a base budget for fiscal year 1979-80 of 83% of last years budget. This, he said, equals \$1,102,821. Successive add-ons, which would be approved by the Mayor's Office, would be an additional five, four or three percent, equalling respectively \$1,167,124 (88%), \$1,218,566 (92%), or \$1,257,148 (95%).

Commissioner Wentz asked if, in the context of these gross figures, the staff would return for Commission adoption of a work program. The Director said yes.

Responding to Commissioner Wentz, Robert Passmore, Planner V (Zoning), said that proposed fee schedules approved by the Commission had been referred to the City Attorney's Office for consideration in the context of amending the various codes which would be effected.

Commissioner Wentz moved adoption of the Department's Base Budget for Fiscal Year 1979-80. The motion was seconded by Commissioner Miller and passed unanimously. (Absent: Commissioner Dearman.)

DR78.79 - DISCRETIONARY REVIEW OF THE PROPOSED NEIMAN-MARCUS DEPARTMENT STORE, GEARY AND STOCKTON STREETS, SOUTHWEST CORNER; LOTS 14 AND 15 IN ASSESSOR'S BLOCK 313.
PROPOSAL TO CONSTRUCT A RETAIL STORE WITH FOUR FLOORS ABOVE GRADE AND ONE FLOOR BELOW GRADE, APPROXIMATELY 175,000 SQUARE FEET OF AREA INCORPORATING THE ROTUNDA AND DOME OF THE CITY OF PARIS BUILDING, AFTER DEMOLITION OF THE REMAINDER OF THE CITY OF PARIS BUILDING AND OF THE 133-157 GEARY STREET BUILDING.

(CONTINUED FROM THE MEETING OF DECEMBER 21, 1978.)

The following persons spoke on the Neiman-Marcus proposal:

1. Winchell Haywood, a San Francisco resident favoring retention of the City of Paris Building.
2. Joe Weiner, a San Francisco resident and developer favoring retention of the City of Paris Building.
3. Bruce Judd, Historic Preservation Officer of the Northern California Chapter of the American Institute of Architects, spoke in favor of retaining the City of Paris Building.

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4. John Sanger, a San Francisco resident favoring retention of the City of Paris Building, introduced a letter from John F. Henning, Jr. who favored retention of the City of Paris Building.
5. Frankie Rhodes favored retention of City of Paris Building.
6. Charles Lamb, representing the Culinary Worker's Union which favors retention of the City of Paris Building.
7. Randolph Delehauty, Urban Historian, favored retention of the City of Paris Building.
8. Richard Register, a Berkeley resident, favored retention of the City of Paris Building.
9. Mary Cox, a San Francisco resident, favored the retention of the City of Paris Building.
10. Walter Johnson, Department Store Employee's Union Official, favored retention of the City of Paris Building.
11. Evelyn Aleshin, former employee of City of Paris, favored retention of the City of Paris Building.
12. Charlotte Maech, Citizen's Committee to Save the City of Paris, favored the retention of the City of Paris Building.
13. Robert Sherman, Bay Area resident, favored the retention of the City of Paris Building.
14. Edward Reidy, a San Francisco resident and proponent of Neiman-Marcus.
15. Richard McRee, an architect, favoring the retention of the City of Paris Building.
16. Joseph McInerney, a San Francisco resident favoring the retention of the City of Paris Building.
17. Ken McDonald, a carpenter favoring retention of the City of Paris Building.
18. Terry Covent, a San Francisco resident, urged retention of the City of Paris Building.
19. John Bechan, a San Francisco resident, urged retention of the City of Paris Building.

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20. D. Fromm, a San Francisco resident favoring retention of the City of Paris Building.
21. Carolyn Meyer urged preservation of the City of Paris Building.
22. Thomas Aidala urged that the City of Paris Building be redesigned and preserved.
23. Michael Corbett urged preservation of the City of Paris Building.
24. Michael Levin urged preservation of the City of Paris Building.
25. Charles Page urged preservation of the City of Paris Building.
26. Alex Wong, a San Francisco resident, urged that alternatives be considered.
27. Edward Belshi urged preservation of the City of Paris Building.
28. Pat Carey said that the interior of the City of Paris Building is beautiful.
29. Bradford Paul urged retention of the City of Paris Building.
30. Anne Bloomfield urged preservation of the City of Paris Building.
31. Mary Conway asked why are we constantly destroying the past.
32. G. B. Platt, President of the Landmarks Preservation Advisory Board, said that there were no overriding social or economic considerations and that the building had to be saved.
33. Patrick McGrew, member of the Landmarks Preservation Advisory Board, said that there would be requests to designate the City of Paris Building.
34. Willie Brown, an attorney, represented Neiman-Marcus.
35. Richard Marcus, the project sponsor.

At the conclusion of public testimony, Rai Y. Okamoto, Director of City Planning, said that the staff recommendation was for approval with conditions.

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Commissioner Boas moved approval of the staff recommendation. The motion was seconded by Commissioner Nakashima and passed by a vote of 4-2 as City Planning Commission Resolution No. 8150. (Voting yes: Commissioners Boas, Nakashima, Rosenblatt, Wentz; Voting no: Commissioner Bierman, Starbuck; Absent: Commissioner Dearman.)

Note: A certified court reporter was present. A transcript was made. An official copy is available, for reference purposes, in the files of the Department of City Planning.

The meeting adjourned at 8:30 p.m.

Respectfully submitted,

Lee Woods, Jr.
Secretary

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SAN FRANCISCO
CITY PLANNING COMMISSION
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THURSDAY, JANUARY 18, 1979
ROOM 282, CITY HALL
1:00 P.M.

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The City Planning Commission met pursuant to notice on Thursday, January 18, 1979, at 1:00 p.m. in Room 282, City Hall.

PRESENT: Toby Rosenblatt, President; Ina F. Dearman, Vice-President, Susan J. Bierman, Thomas Miller, Yoshio Nakashima, Charles Starbuck and John Wentz, members of the City Planning Commission.

ABSENT: None

The staff of the Department of City Planning was represented by George Williams, Acting-Director of Planning; Robert Passmore, Planner V (Zoning); Dick Gamble, Planner IV; Alec Bash, City Planning Coordinator; Nat Taylor, Planner III; Jim Miller, Planner II; Lee Woods, Secretary.

Gerald Adams represented the San Francisco Examiner. Dan Forsuk represented the San Francisco Progress. Marshall Kilduff represented the San Francisco Chronicle.

APPROVAL OF MINUTES

Commissioner Dearman moved for approval of the minutes of the Special Meeting of January 19, 1978, and the Regular Meeting of November 9, 1978. The motion was seconded by Commissioner Nakashima and passed unanimously.

CURRENT MATTERS

Election of Officers

As provided in the Rules and Regulations of the City Planning Commission, the President and Vice-President of the Commission "shall be elected at the first Regular Meeting of the Commission held on or after the 15th day of January of each year; or at a subsequent meeting, the date of which shall be fixed by the Commission at the first Regular Meeting on or after the 15th day of January each year."

Commissioner Nakashima moved that present officers be retained for another term. In the absence of additional nominations, Commissioner Wentz moved that nominations be closed. The motion was seconded by Commissioner Miller and passed unanimously.

Commissioner Wentz seconded Commissioner Nakashima's motion nominating Commissioner Rosenblatt for President and Commissioner Dearman for Vice-President. The motion passed unanimously.

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The Commission agreed to a joint meeting with the Recreation and Park Commission on the Open Space Program on February 13, 1979 at 7:30 p.m. at the Hall of Flowers in Golden Gate Park.

After a brief discussion, Commissioner Dearman moved that the Commission take Discretionary Review of a proposal at 1945 Union Street to convert a residential dwelling to a hotel. Further, she moved that the staff undertake an analysis of the question of the location of hotels in residential and commercial districts. The motion was seconded by Commissioner Bierman and passed unanimously.

Commissioner Starbuck made the following requests:

1. That the Commission be given copies of the final resolutions for Levi's Plaza and Neiman-Marcus.
2. That staff determine if building permits exist for the Southwest Corner of Polk and California Streets.
3. That the Capital Improvements staff prepare a resolution on the proposed Emergency Operation Center.
4. That staff bring to the attention of the Transportation Policy Group (TPG) any proposal for an overpass over Mission Street from the Trans Bay Terminal and that TPG consider mitigation measures at grade.

INFORMATIONAL PRESENTATION ON PROPOSED AMENDMENT TO THE RECREATION AND OPEN SPACE ELEMENT OF THE MASTER PLAN OF THE CITY AND COUNTY OF SAN FRANCISCO. THE PROPOSED AMENDMENT WOULD MODIFY THE CATEGORY "PROPOSED RECREATION AND OPEN SPACE" AS SHOWN ON THE MAP ON PAGE 15 ENTITLED "CITYWIDE RECREATION AND OPEN SPACE PLAN" TO DELETE THE FOLLOWING SITE:
THE ROCK OUTCROPPING ON 14TH AVENUE, SOUTH OF ORTEGA STREET, LOTS 6, 11, 12, 22, BLOCK 2050A DUE TO LACK OF COMMUNITY SUPPORT FOR ITS ACQUISITION.

Dick Gamble, Planer IV, made reference to a memorandum dated January 10, 1978, from the Director of Planning to the City Planning Commission.

Mr. Gamble said that Leon Carlin, the property owner, had asked that purchase of his property be completed or that it be dropped from the Master Plan.

Commissioner Bierman asked if the Open Space Committee recommended deletion of the property. Mr. Gamble said no but that the Committee's position was not clear. Further, he said that the staff did not recommend deletion.

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Acting Director of Planning, George Williams, said that the General Manager of the Recreation and Park Department recommended retention.

George Dobell, a resident at 1812 15th Avenue, urged retention of the property.

President Rosenblatt said that the staff of the Department and the General Manager of the Recreation and Park Department recommended retention.

Commissioner Bierman moved that the site be retained as part of the Open Space Program. The motion was seconded by Commissioner Dearman and passed unanimously.

DR78.77 - CONSIDERATION OF DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NO. 7806037 TO BUILD A THREE-STORY COMMERCIAL BUILDING AT 2358 MARKET STREET BETWEEN 16TH AND CASTRO STREETS IN C-2 (COMMUNITY BUSINESS) AND PROPOSED RC-2 (RESIDENTIAL-COMMERCIAL COMBINED, MODERATE DENSITY) DISTRICT; LOT 10 IN ASSESSOR'S BLOCK 3562.

Robert Passmore, Planner V (Zoning), said that the proposal would result in no adverse effects and that the staff recommendation was for no Discretionary Review.

Michael O'Lear represented the project sponsor.

Commissioner Bierman moved the staff recommendation for no Discretionary Review. The motion was seconded by Commissioner Nakashima and passed unanimously.

DR78.77 - DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NO. 7806037 TO BUILD A THREE-STORY COMMERCIAL BUILDING AT 2358 MARKET STREET BETWEEN 16TH AND CASTRO STREETS IN C-2 (COMMUNITY BUSINESS) AND PROPOSED RC-2 (RESIDENTIAL-COMMERCIAL COMBINED, MODERATE DENSITY) DISTRICT; LOT 10 IN ASSESSOR'S BLOCK 3562.

No action taken.

ZM78.13 - RECLASSIFICATION OF PROPERTY BOUNDED BY MARKET, FOURTH, TOWNSEND AND THIRD STREETS; ALL OF ASSESSOR'S BLOCKS 3706, 3723, 3734, 3751, 3762, 3776 and 3787; FROM A C-3-S (DOWNTOWN SUPPORT), C-3-R (DOWNTOWN RETAIL), P (PUBLIC), RC-2 (RESIDENTIAL-COMMERCIAL COMBINED, MODERATE DENSITY), M-1 (LIGHT INDUSTRIAL) AND M-2 (HEAVY INDUSTRIAL) DISTRICT TO AN RH-3 (HOUSE, THREE-FAMILY) DISTRICT.
(CONTINUED FROM THE MEETING OF JANUARY 4, 1979.)

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A case report was available. It was summarized by Alec Bash, City Planning Coordinator. Mr. Bash said that the staff recommendation was for disapproval.

President Rosenblatt asked if the applicant was present. There was no response. President Rosenblatt asked if there was anyone who wished to speak in favor of the proposal. There was no response.

John Igoe of the Chief Administrative Officer's Office, said that the Redevelopment Agency opposed reclassification and that any Planning Commission action would require concurrent Agency action.

Because of a pending law suit, Commissioner Starbuck requested that the Commission permit Commissioners Bierman, Dearman and Starbuck to abstain.

Commissioner Nakashima moved that Commissioners Bierman, Dearman and Starbuck be permitted to abstain. The motion was seconded by Commissioner Wentz and passed unanimously.

Commissioner Wentz moved disapproval of the application. The motion was seconded by Commissioner Nakashima and passed unanimously as City Planning Commission Resolution No. 8151.

CU78.70 (DR) - DISCRETIONARY REVIEW IN LIEU OF CONDITIONAL USE AT 3275 (EE78.391) SACRAMENTO STREET, SOUTHEAST CORNER AT PRESIDIO AVENUE, LOT 18 IN ASSESSOR'S BLOCK 1022, FOR CONVERSION OF SECOND LEVEL DWELLING UNIT TO OFFICES FOR NON-PROFIT ORGANIZATION, IN AN EXISTING C-2 (COMMUNITY BUSINESS) DISTRICT AND PROPOSED RC-1 (RESIDENTIAL-COMMERCIAL COMBINED, LOT DENSITY) DISTRICT, AND A PROPOSED SPECIAL USE DISTRICT.

A case report was available. It was summarized by Jim Miller, Planner II.

Robert Passmore, Planner V (Zoning), said that the staff recommendation was for approval with conditions, including a provision that the authorization be extended only to a specific applicant for a specified period at the end of which the authorization would expire and a provision that the dwelling unit be renovated for residential use, by the applicant, at the end of the authorization.

Thomas J. Mellon, representing the applicant, said that the applicant and the Neighborhood Association had come to a thorough understanding of conditions. The tenure expiration provision gives me trouble, he said. Renovation at the end of a three (3) year period would be expensive, he said.

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Responding to Commissioner Bierman, Mr. Passmore said that a Temporary Use would not require a formal Conditional Use hearing for continued authorization but that, if the use was not temporary, a variance would be needed to reinstate a residential unit. Further, he said that there was a Master Plan provision for protection of residential units.

Commissioner Wentz suggested that the draft resolution be amended to read that the authorization would terminate with the tenancy of the present applicant.

Larry Bacon, representing the Presidio Heights Association of Neighbors, said that the Association could support Commissioner Wentz's suggestion.

Commissioner Wentz moved approval with conditions including his suggested amendment to the conditions of draft resolution. The motion was seconded by Commissioner Bierman and passed unanimously as City Planning Commission Resolution No. 8152

At this time, Rosario Occhipinti, representing Jesse Tribulato in the matter of ZM78.13, asked to address the Commission.

President Rosenblatt indicated that the Commission had taken action on the reclassification application (ZM78.13) at the calendared time. Responding to Mr. Occhipinti, President Rosenblatt said that Mr. Occhipinti could have notified the Commission that he would be delayed.

President Rosenblatt indicated that, at Mr. Occhipinti's request, the Commission had previously continued the matter. Mr. Passmore indicated that in theory, Mr. Occhipinti could appeal the Commission's decision to the Board of Supervisors.

EE78.274 - APPEAL OF NEGATIVE DECLARATION ON THE ELSIE STREET WIDENING,
100 BLOCK OF ELSIE STREET, SOUTHWEST OF ESMERALDA AVENUE TO
VIRGINIA STREET, BETWEEN ASSESSOR'S BLOCKS 5618 AND 5619.
(CONTINUED FROM THE MEETING OF JANUARY 4, 1979.)

President Rosenblatt indicated that it was the desire of the appellant, the Elsie Street Group, that the matter be continued to February 8, 1979.

President Rosenblatt asked Richard Alvarez, the sponsor of the Elsie Street Widening Plan, if he had any objection to a further continuance. Mr. Alvarez said "no".

Commissioner Bierman moved that the matter be continued to February 8, 1979. The motion was seconded by Commissioner Nakashima and passed unanimously. (Absent: Commissioner Dearman.)

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CONSIDERATION OF PROPOSED SUBDIVISION CODE AMENDMENTS
RELATED TO CONDOMINIUM CONVERSION SUBDIVISIONS.

At approximately 3:25 p.m., Commissioner Dearman returned to the meeting.

Acting Director of Planning, George Williams, said that the hearing was occasioned by the Completion of the City Attorney's review of the Subdivision Code Amendments endorsed by the Commission in March of 1973. If circumstances have changed, he said, this would also be the occasion for discussion of additional changes.

Nat Taylor, Planner II, summarized the recommendation which had been endorsed by the Commission. Mr. Taylor said that during the past several weeks, the staff had taken a closer look at the recommendations. If, with respect to conversions, a central problem is the dislocation of existing tenants, he said, the problem would be eliminated if more tenants purchased their units. The question then is, he said, should conversion approval be tied to a mandatory percentage of tenant purchases?

Mr. Taylor said that this type of provision could eliminate need for price regulation and staff review. Further, he said that the percentage of tenant purchase provision could be coupled with a city-wide vacancy factor.

Other possible changes might include, he said, a life-time lease for elderly tenants or tenants over the age of 75 years. Finally, he said, another possible change might provide for a rent freeze on any unit proposed for conversion.

President Rosenblatt assured the audience that these ideas were sufficiently complex and that no one should assume any conclusion immediately.

Ella Brach, a resident of 1333 Gough Street, said that a provision restricting rental increases on units proposed to be converted was needed.

Karen Marts, a San Francisco resident, said that foreign investment money was driving housing costs up. A moratorium is needed, she said.

Wade Hudson, representing the District No. 11 Resident Association, said that fifty percent of the units, of a building purchased by tenants of the building, still represented a depletion of the rental stock. We need, he said, a moratorium tied to a five percent vacancy factor.

Max Tietler, of the Gray Panthers, stressed the adverse impact of conversion on the elderly. There should be, he said, a provision for a life-time lease for elderly persons. Rental increases should be tied to the cost of living index, he said.

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In a prepared statement, Robert DeVries, of the San Francisco Renter's Rebate Committee, submitted the following recommendations:

- 1) NO CONVERSIONS UNTIL VACANCY RATE IN RENTAL HOUSING REACHES 5%, except in cases of unanimous tenant consent, when the consent is not caused by evictions of unsympathetic tenants.
- 2) Relocation Periods- Due to the tight rental housing market, tenants should be allowed six months to relocate. Tenants aged 62 or older to be offered lifetime leases, at the old rent, with increases not to exceed the cost of living.
- 3) Tenant Consent- Being forced to leave one's home is a very serious matter. Therefore 80% approval of tenants should be required for conversion. Any evictions made without just cause during the previous two years to be grounds for disallowing the conversion, in order to prevent developers from evicting unsympathetic tenants to inflate the approval rate.
- 4) Sale Price- Sale price should be such that monthly expenses (mortgage + maintenance costs) do not exceed the previous rent by more than 10%. The factor of 156 times monthly rental suggested by the Planning Department is too high to fulfill this requirement, according to our calculations.

If total rent increases during the past four years exceeded the cost of living, sale price should be based on the maximum rent that could have been charged had rent increases kept pace with the cost of living. If rent increases during the previous 24 months exceeded the cost of living, the conversion should be disallowed. The sale price provisions should apply to all purchasers, not just tenants as suggested by the Planning Department.
- 5) Future Sale Price- Resale price of condominiums to be limited to the original price paid plus an increase equal to the increase in the cost of living.
- 6) Guaranteed Financing or Lifetime Lease- The converter must offer each tenant either financing at the market rate, or if unavailable, a lifetime lease at the existing rent with future increases not to exceed the cost of living.
- 7) If condominium owner rents out his/her condominium, the rent should not exceed the monthly expenses (mortgage + maintenance), plus an amount equal to the return at that time on long term treasury notes.

Sue Lee, a San Francisco resident, said that conversions must be stopped. The only effect of conversions, she said, is higher housing costs.

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Steve Birnbaum said that a moratorium was needed. Further, he asked about the origin of proposed Code Section No. 1395, the "Non-Liability of the City after Approval of the Final Map" section.

Commissioner Bierman asked that the staff determine why the City Attorney felt the need for this Section.

Adrian Blumberg expressed complete opposition to conversion.

Earl Cranshaw, Advisor to the Commission on Aging, urged a moratorium on conversions.

Roberto Garcia, of La Raza, said that conversion was a form of speculation and urged strict controls.

Representing the San Francisco Housing Coalition, Cal Welsh submitted the following statement:

On January 15th, the General Membership of the Housing Coalition voted without dissent to oppose condominium conversions in our City until a 5% vacancy rate was reached in low and moderate rental housing.

The Coalition did so for three reasons:

First, condo conversions are simply an example of real estate speculation which artificially increase housing costs to our residents without adding a single new housing unit to our City. The study prepared by your department and the real estate business concluded that the average conversions resulted in a 153% increase in monthly housing costs for the same unit. To argue that these cost increases are somehow compensated for by tax savings and rising property values when the property is resold as the study argues is an absurdity since it begs the questions that these inflated monthly costs can be born by anyone but the most wealthy. Such arguments belong in a condo converters sales pitch where they can be challenged as fraud, and not in a "neutral" study of a problem of public policy.

Second, condo conversions reduce the supply of low and moderate cost apartments in a City which has the largest percentage of its population made up of renters of any major US City. This City has historically been a place open to a diverse population of every social class. Condo conversions are now occurring at a rate, according to the figures supplied by your staff's report, at a rate of 77 units per month, a rate which far outstrips the new supply of low and moderate cost rental units produced by both the public and private housing sector. It takes no study by "real estate professionals" to reveal that unless the rate of conversions is tied to the rate of supply of low and moderate rental units in the City, there simply will be no low and moderate cost rental units left in the

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City. If that occurs, as it surely will unless indexing occurs, it takes no economic expert to figure out that the ripple effect of such a loss of low and moderate cost units will be a dramatic increase in housing costs for every type and category of housing in the City.

The final reason the Housing Coalition calls for an end of conversions until a 5% vacancy rate is reached in low and moderate cost housing is the impact such conversions has had on our senior citizens. Being, on the whole, on fixed incomes which mean being able to pay only low and moderate prices for housing, and being overwhelmingly tenants, they have had to bear the brunt of the conversion onslaught. A City is not a City if it is inhabited by only one age group, it is a camp or a fortress. Seniors need special protection, a protection that the private housing market used to offer, but no longer seems able to do. They need the protection of their local government and you are in a position to offer them that service.

The SFHC statement for a 5% vacancy rate for low and moderate rental units before any more conversions of course does not deal with the other proposals suggested by staff to deal with the problem of condo conversions. Some of the proposals have merit, others raise problems. None however will deal with the real problem raised by condo conversions, unless there is a clear policy, coming first from this Commission, that there shall be no more conversions until there is a 5% vacancy rate in the supply of low and moderate cost rental units.

Representing the Haight-Ashbury Neighborhood Council (HANC), Anna Dardin said that HANC had passed a resolution on January 18, 1978, opposing conversions and calling for a moratorium.

Jack Kaufman, a resident of San Francisco, said that he favored a moratorium.

Francis Brown said, "let's have a moratorium."

Joe Blandell, a resident at 333 Hyde Street, said that he apposed conversions but also new condominium construction in the Tenderloin.

Isabel Zamedio, of the North of Market Seniors Organization, said, "in the twilight of our lives, be merciful to us."

Carl Kemudro, a resident of 1200 Gough Street, said that a moratorium was needed and that rent increases should not be allowed on units proposed for conversion.

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Andrew Butler, of the Nob Hill Neighbors, said that the Neighbors opposed conversion where there was less than fifty percent tenant consent. We recommend a life-time lease for tenants 62 years of age, he said.

Jim Johnson said that there were benefits to be derived from conversion purchase. Though, he said, there should be safeguards.

Grace Geertz, a resident at 1200 Gough Street, said that rents escalate when a unit is proposed for conversion.

Don Hesse said that the Housing Committee of the Human Rights Commission recommends a provision for a moratorium while the vacancy rate does not equal five (5) percent.

Peter Palmassiano said that government should protect the elderly but that a moratorium was not advisable.

At the conclusion of public testimony, Commissioner Starbuck said that it was clear that immediate legislative action was needed. He moved that those sections of the Commission Resolutions of February and March of 1979, which relate to a moratorium be extracted and hand delivered to the Board of Supervisors. The moratorium would not cover new rental construction never previously occupied. The moratorium would relate only to habitable rental housing, he said.

The motion was seconded by Commissioner Nakashima.

Commissioner Bierman said that she would amend the motion to relate the moratorium to a five (5) percent vacancy factor.

Commissioner Dearman said that she would second the amended motion.

The amended motion failed by a vote of 3-4. (Voting yes: Commissioners Bierman, Dearman, Starbuck; Voting no: Commissioners Miller, Nakashima, Rosenblatt, Wentz.)

The initial motion of Commissioner Starbuck, calling for a moratorium effective January 15, 1979, was approved unanimously as City Planning Commission Resolution No. 8153.

Commissioner Bierman said that she wanted the Board of Supervisors to know of the need for a vacancy survey. She said that the Commission's request for funds, for this purpose, should be restated.

President Rosenblatt suggested that before the next hearing, individuals on the condominium mailing list be invited to submit to the staff, comments on the specific language of the proposed amendments and on the alternative concepts which were discussed.

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Commissioner Wentz said that the staff should return with any additional modifications which it would want to have considered.

Commissioner Bierman made reference to the fact that Congressman John Burton was interested in the issue of conversions.

Commissioner Bierman asked that the staff take a close look at a possible amendment which would require a life-time lease for the elderly.

The meeting was adjourned at 6:30 p.m.

Respectfully submitted,

Lee Woods, Jr.
Secretary

CF
C55
#10
125/79

SAN FRANCISCO
CITY PLANNING COMMISSION
SUMMARY AND MINUTES
OF THE
REGULAR MEETING
HELD
THURSDAY, JANUARY 25, 1979
ROOM 282, CITY HALL
12:00 NOON

DOCUMENTS DEPT.

JUN 9 1980

SAN FRANCISCO
PUBLIC LIBRARY

The City Planning Commission met pursuant to notice on Thursday, January 25, 1979, at 12:00 Noon in Room 282, City Hall.

PRESENT: Toby Rosenblatt, President; Ina F. Dearman, Vice-President; Susan J. Bierman, Thomas Miller, Yoshio Nakashima, Charles Starbuck and John Wentz, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; Robert Passmore, Planner V (Zoning); Selina Bendix, Environmental Review Officer; Dick Hedman, Planner V; Wayne Rieke, Planner IV; Mark Winoground, Planner III; Charles Gill, City Planning Coordinator; Robert Wong, Staff Assistant IV; Lee Woods, Secretary.

Gerald Adams represented the San Francisco Examiner. Marshall Kilduff represented the San Francisco Chronicle. Mike Mewhinney represented the San Francisco Progress.

APPROVAL OF MINUTES

Commissioner Dearman moved for approval of the minutes of the Regular Meetings of January 5, 1978 and January 4, 1979. The motion was seconded by Commissioner Nakashima and passed unanimously.

FIELD TRIP

Members of the Commission and staff departed from 100 Larkin Street at 12:00 Noon to visit sites of February zoning cases and also of cases scheduled under the calendar of this meeting.

CURRENT MATTERS

With respect to the proposed Glen Park Center Environmental Impact Report, Robert Wong, Staff Assistant IV, said that the consultant's unwillingness to make requested changes in the EIR had caused delay. In this context, Selina Bendix, Environmental Review Officer, asked the Commission for guidance.

Michail Ohleyer represented Bernie Kelley, developer of the proposed Glen Park Center.

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After some discussion, the Commission agreed to authorize Dr. Bendix to proceed, when she thought appropriate, with the publication of the EIR.

Commissioner Starbuck introduced a draft resolution related to the proposed Emergency Operating Center. The Commission had requested, at its previous meeting, this resolution.

After some discussion, the Commission agreed to amend the draft resolution by adding a "resolved" clause which urged the Mayor and the Board of Supervisors to seek funds from any available source for the proposed Center.

Commissioner Miller moved approval of the amended draft resolution. The motion was seconded by Commissioner Dearman and passed unanimously as City Planning Commission Resolution No. 8154.

Commissioner Starbuck said that it was imperative that there be a Commission Master Plan review of the proposed expansion of the Sutter-Stockton Garage.

The expansion has serious implications in terms of transit policy and the loss of residential units, he said.

President Rosenblatt said that it would be extremely desirable to undertake the Master Plan review before the Parking Authority considered putting the expansion on the November ballot. That decision, he said, will be made on February 15th. President Rosenblatt asked that the Director communicate, to the Director of the Parking Authority, the Commission's wish that the garage permit be referred to the Commission as quickly as possible.

ZM78.16 - PROPOSAL TO RECLASSIFY PROPERTY IN CIVIC CENTER AREA BOUNDED BY MARKET, FULTON AND HYDE STREETS AND UNITED NATIONS PLAZA AND BOUNDED BY SEVENTH, LEAVENWORTH AND MARKET STREETS AND UNITED NATIONS PLAZA, LOTS 7, 14, 18, 19, 22, 32, 33, 36, 37, 39 AND 40, AND PORTIONS OF LOTS 8 AND 9 IN ASSESSOR'S BLOCK 351; FROM AN 80-X HEIGHT AND BULK DISTRICT TO A DISTRICT TO BE DETERMINED RANGING BETWEEN 20-X AND 110-X.

The Director of Planning, Rai Okamoto, advised the Commission that the Negative Declaration had not become final and that no action was possible.

Dick Hedman, Planner V, summarized a memorandum from the Director to the Commission. The memo related to "Appropriate Height of Development in the United Nations Plaza Area" of Civic Center.

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Mr. Hedman concluded his presentation with two recommendations for changes in Height:

1. In the area bounded by Fulton, Market and Hyde Streets, increase the height limit from 80 feet to 90 feet to allow new development to match the attic level cornice heights of the Federal Building.
2. For the area bounded by McAllister, 7th Street North and Market Street, increase the height limit from 80 feet to 110 feet to allow new development on the north side of United Nations Plaza to match the roof form of the Federal Building.

Ann Dusenberry, representing the North of Market Senior Center, said that she was opposed to increased heights. She said that there would be adverse impacts in terms of shade and shadow. She urged continuance.

Walter Kaplan, a property owner at No. 1 United Nations Plaza, said that the proposal would result in greater shade and shadow in the Plaza Area. He urged continuance for greater public discussion.

Haig Mardikian, who was proposing development in the Area, said that he could live with a 90 feet height limit.

Commissioner Bierman said that she was troubled by the potential for increased shadow in the Plaza.

Mr. Hedman said that development at the proposed heights would result in almost no additional shadow.

Commissioner Starbuck moved that the hearing be continued to February 15, 1979. The motion was seconded by Commissioner Bierman and passed unanimously.

ZM79.1 - PROPOSAL TO RECLASSIFY PROPERTY IN THE 2000 BLOCK OF FELL STREET, NORTH SIDE, BETWEEN SHRADER AND COLE STREETS, LOTS 7-11, 11E, 12-14, 16 AND 16A IN ASSESSOR'S BLOCK 1212; FROM AN RM-1 TO AN RH-3 DISTRICT.

Robert Passmore, Planner V (Zoning), indicated that the cases to follow were a part of the amendments initiated by the Board of Supervisors.

After his brief status report on staff analysis of the Board initiated amendments, Mark Winoground, Planner III, indicated that the Commission had before it, a memorandum which constituted an Administrative Amendment to the Residential Zoning Study Environmental Impact Report. This amendment, he said, allows the Commission to take action on the cases before you today.

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A case report was available for ZM79.1. It was summarized by Wayne Rieke, Planner IV.

Marilyn Smulyan, President of the Haight-Ashbury Neighborhood Council, said that the Council's concern was the proximity of the lots to St. Mary's Hospital and the potential for non-residential development under RM-1. There would be Conditional Use protection under RH-3, she said.

Robert Passmore, Planner V (Zoning), said that the staff recommendation was for disapproval. There would be economy, he said, in the construction of a single large building permitted under RM-1.

Commissioner Wentz moved the staff recommendation for disapproval. The motion was seconded by Commissioner Miller and passed by a vote of 5-2 as City Planning Commission Resolution No. 8155.
(Voting yes: Commissioners Miller, Nakashima, Rosenblatt, Starbuck, Wentz;
Voting no: Commissioners Bierman, Dearman.)

ZM79.2 - PROPOSAL TO RECLASSIFY PROPERTY AT 1928 HAYES STREET, NORTH SIDE, 106.25 FEET WEST OF ASHBURY STREET, LOT 2E IN ASSESSOR'S BLOCK 1195; FROM AN RH-3 TO AN RM-1 DISTRICT.

A case report was available. It was summarized by Wayne Rieke, Planner IV.

Dennis Carlin and Dennis Carlin, Jr. said that the neighborhood would benefit and urged approval.

Robert Passmore, Planner V (Zoning), said that the neighborhood had a mixed character, and he said that the staff recommendation was for approval.

Commissioner Bierman said that she would move disapproval because there was the potential of much additional traffic.

The motion was seconded by Commissioner Dearman and passed by a vote of 5-2 as City Planning Commission Resolution No. 8156.
(Voting yes: Commissioners Bierman, Dearman, Miller, Starbuck, Wentz;
Voting no: Commissioners Nakashima, Rosenblatt.)

ZM79.3 - PROPOSAL TO RECLASSIFY PROPERTY ON MISSION STREET IN THE 3600 BLOCK, EAST SIDE, BETWEEN APPLETON AND HIGHLAND STREETS, LOTS 15-18 AND 24 IN ASSESSOR'S BLOCK 5713; FROM AN RH-2 TO A C-2 DISTRICT.

A case report was available. It was summarized by Wayne Rieke, Planner IV.

Wilhemina Fiederlein said that duplexes could not be developed economically. She urged approval.

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Harry Friehoff, a businessman with an office in the block, said that all or none of the block should be made commercial.

Mike Clancey, a property owner in the block, said that the proposal would have a detrimental effect on the residences in the block. He urged disapproval.

Mike Mason said that all of the block or none of the block should be commercial.

Mrs. Gill, a homeowner in the block, expressed opposition to the proposal.

Robert Passmore, Planner V (Zoning), said that the staff recommendation was for disapproval.

Commissioner Dearman moved the staff recommendation for disapproval. The motion was seconded by Commissioner Wentz and passed unanimously as City Planning Commission Resolution No. 8157.

ZM79.4 - PROPOSAL TO RECLASSIFY PROPERTY AT 480 FOURTEENTH STREET, NORTH SIDE, 68.5 FEET EAST OF GUERRERO STREET, LOT 24 IN ASSESSOR'S BLOCK 3533; FROM AN RM-1 TO AN RM-2 DISTRICT.

A case report was available. It was summarized by Wayne Rieke, Planner IV.

Paul Hoger, a resident of the area, expressed concern about the congested conditions existing in the neighborhood.

George Ivalovich, the project architect, noted that what was being proposed was elderly housing and that parking requirements were less severe. He urged approval.

Robert Passmore, Planner V (Zoning), said that the staff recommendation was for approval.

Commissioner Miller moved the staff recommendation for approval. The motion was seconded by Commissioner Nakashima and passed unanimously as City Planning Commission Resolution No. 8158.

ZM79.5 - PROPOSAL TO RECLASSIFY PROPERTY AT 2502-04-06 CLAY STREET, NORTH SIDE, 25 FEET WEST OF FILLMORE STREET, LOT 5 IN ASSESSOR'S BLOCK 611; FROM AN RH-2 TO A C-2 DISTRICT.

A case report was available. It was summarized by Wayne Rieke, Planner IV.

Robert Passmore, Planner V (Zoning), said that it was a commercial building and that the reclassification would be appropriate. He recommended approval.

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Sandy Walker, President of the Pacific Heights Residents Association, said that the association favored retention of the non-conforming use but opposed the reclassification.

Ann Bloomfield, of the Pacific Heights Neighborhood Council urged denial of the application.

Barry Sachs, a resident of the block, urged that the Commission deny the application and prevent the spread of commercial use in the block.

Howard McElhatten, a resident of the block, said that commercial development would contribute to an already serious parking problem. He urged disapproval.

Rachal Hagganer, a resident of the block, urged that the block's residential qualities be preserved.

Commissioner Dearman moved disapproval of the application. The motion was seconded by Commissioner Bierman.

Responding to Commissioner Bierman, Mr. Passmore said that the Non-conforming Use would be allowed to remain.

The motion for disapproval passed unanimously as City Planning Commission Resolution No. 8159.

ZM79.6 - PROPOSAL TO RECLASSIFY PROPERTY AT 2333 VALLEJO STREET, SOUTHWEST CORNER OF FILLMORE STREET, LOTS 1 AND 24 IN ASSESSOR'S BLOCK 563; FROM AN RH-1 TO AN RM-3 DISTRICT.

The Commission agreed to waive the case report. Robert Passmore, Planner V (Zoning), said that the recommendation was for disapproval.

Edward Wynn represented the applicant, the Vendanta Society. Mr. Wynn said that RM-3 was selected after consultation with the Department of City Planning Staff. Further, he said that the Church was prepared to work closely with groups and individuals of the area. The Church, he said, has a right to know what number of units would be permitted before it proceeded to have plans drawn.

Mr. Passmore said that it might be appropriate for the Commission to have both the reclassification and the conditional before it at one time.

Sandy Walker of the Pacific Heights Residents Association, said that the association was opposed and that it would want to see a specific proposal initially.

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Chuck Olson said that the Church was an institution in a residential district. He submitted a petition with the signatures of 39 homeowners who opposed the reclassification.

Lou Herms, a resident of the area, said that he opposed the application and any further building in the area.

Steve Merrill, a resident of the area, said that it was institutional expansion and that he opposed it.

Joan Trammmer, a Vallejo Street resident, said that we need to see their plans.

Mike Hall, a Vallejo Street resident, said that sufficient need had not been demonstrated.

Kenneth Brown, a Vallejo Street resident, said that the Church did not need larger facilities.

Peter Envoy said that the neighborhood had a right to know what was being proposed.

Diane Sobel said that parking was a problem.

Mr. Sobel said that it was institutional expansion and that he opposed it.

Susan O'Gara said that the difference in heights permitted in the different districts was significant.

Ed Wynn, the applicant's representative, said that, in any event, RM-3 would carry an off-street parking requirement and that it was appropriate.

Commissioner Nakashima moved disapproval of the application. The motion was seconded by Commissioner Bierman and passed unanimously as City Planning Commission Resolution No. 8160.

ZM79.7 - PROPOSAL TO RECLASSIFY PROPERTY AT 926 GROVE STREET, NORTH SIDE, 125 FEET EAST OF STEINER STREET, LOT 9 IN ASSESSOR'S BLOCK 798; FROM AN RH-3 TO AN RM-4 DISTRICT.

The Commission agreed to waive the staff presentation of the case report. Robert Passmore, Planner V (Zoning), said that, in the absence of specific plans, the recommendation was for disapproval.

Edward Wynn represented the applicant.

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Joseph Havel, the applicant, said that within 250 feet of his property, there was an entire block of RM-4. Mr. Havel said that, at the least, his property should be zoned RM-2 or RM-3.

Mr. Passmore indicated that the RM-4 area near Mr. Havel's property was in a redevelopment area.

Peter Wittner of the Alamo Square Association said that there was no reason for reclassification before submission of specific plans.

Bernard Sanger, a Steiner Street resident said that there was a need for open space.

Ann Bloomfield said that the building occupying part of Mr. Havel's property was rated at five (5) in the architectural survey. She said that there ought to be actual plans submitted before considering reclassification.

Earl Moss, of the Victorian Alliance, said that the house was important and urged that the application be disapproved.

Patrick McGrew, of the Landmarks Board, said that it was a fabulous house and that the Landmarks Board would probably initiate designation.

Denise Tomlin said that additional development would result in increased demand for parking.

The applicant's representative, Mr. Wynn, said that Mr. Havel had no interest in demolishing his building.

Mr. Passmore said that the appropriate zoning seemed to be RH-3 and that the Landmark issue needed resolution.

Commissioner Starbuck said that he would move disapproval. We have no specific plans and we should await the Landmarks Board, he said. The motion was seconded by Commissioner Nakashima and passed unanimously as City Planning Commission Resolution No. 8161.

ZM79.8 - PROPOSAL TO RECLASSIFY PROPERTY AT 242 MONTEREY BOULEVARD, NORTH SIDE, 275 FEET EAST OF CONGO STREET, LOT 53 IN ASSESSOR'S BLOCK 6770; FROM AN RH-2 TO AN RM-1 DISTRICT.

The Commission agreed to waive staff presentation of the case report. Robert Passmore, Planner V (Zoning), said that the staff recommendation was for disapproval.

Robert Anderson, the applicant, said that he wanted only what he had been previously entitled to.

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Elizabeth Jordan, a Monterey Street resident, said that she possessed a petition with the signatures of 17 persons who opposed the reclassification.

Greg Garr said that the reclassification was being requested to increase the value of the site and to make acquisition of the landmark structure more difficult. He said that he was opposed.

Ruth Gurvanis, of the Glen Park Association, urged disapproval.

Earl Moss, of the Victorian Alliance, urged disapproval.

At the conclusion of public testimony, Commissioner Wentz moved disapproval. The motion was seconded by Commissioner Starbuck and passed unanimously as City Planning Commission Resolution No. 8162.

ZM79.9 - PROPOSAL TO RECLASSIFY PROPERTY AT 121-199 YOUKON STREET AND 54-95 STANTON STREET, EAST OF MARKET STREET, LOTS 3-5, 7-14, 14A, 33-38, 41 AND 42 IN ASSESSOR'S BLOCK 2716; FROM AN RH-2 TO AN RH-1 DISTRICT.

The Commission agreed to waive the case report presentation by staff. Robert Passmore, Planner V (Zoning), said that there were serious problems of traffic circulation and congestion. The recommendation, he said, is for approval.

Gina Pinestra said that she favored the reclassification.

Earl Moss, of Victorian Alliance, said that a down-zone would preserve the unique qualities of the Kite Hill area. He urged approval.

Lee Meitley, President of the Eureka Valley Promotion Association, said that the downzoning would make the neighborhood safer.

Rita Bregman, a 19th Street resident, said that there was enough traffic in the area and that she supported the downzone.

Betsy Miller Coach said that the downzone would be beneficial to the neighborhood.

Elsa Strait urged approval of the application.

Gloria Lacey spoke in opposition to the proposed downzone. She said that she resided on Stanton Street, that it did not have the problems of Yukon Street, and she asked why Stanton Street was included in the application. The same conditions don't exist, she said.

Martha Brown, a Stanton Street resident, said that the street was a dead end, that there was no traffic problem and that she opposed the application.

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Michael Phillips, a Stanton Street resident, said that there was no traffic problem, and he said that five of the nine houses on Stanton Street were two-family houses.

Mr. Passmore said that records indicated that there were ten houses on Stanton Street and that three were two-family. Responding to Commissioner Wentz, Mr. Passmore said that Stanton Street property could be separated from the application.

Dorise Murphy said that there were no two-family houses on Stanton Street.

Commissioner Bierman moved the staff recommendation for disapproval. Traffic is a serious problem in that area, she said. The motion was seconded by Commissioner Nakashima and passed unanimously as City Planning Commission Resolution No. 8163.

ZM79.10 PROPOSAL TO RECLASSIFY PROPERTY AT 1340 CLAY STREET, NORTH SIDE BETWEEN PRIEST AND REED STREETS, LOT 3 IN ASSESSOR'S BLOCK 215; FROM AN RM-3 TO AN RM-4 DISTRICT.

The Commission agreed to waive the case report presentation.

Jim Johnson, an attorney, represented the applicant, Andre Bose.

At this time, Commissioner Dearman left the hearing.

Mr. Johnson said that the Recreation and Park Commission had recommended acquisition of the site as part of the Open Space program. There is the problem of downzoning and simultaneously commencing acquisition, he said. Mr. Johnson said that the site was adjacent to RM-4 zoning and that this was the basis for the request.

Andrew Butler, of the Nob Hill Neighbors, said that the current RM-3 zoning had been initiated before designation for Open Space acquisition. Mr. Butler said that a zoning change would mean increased acquisition costs and acquisition delay.

Mr. Korloff, a resident of Jones Street, said that an upzoning would result in increased traffic and congestion, and that an upzoning was inappropriate.

Ed Tanser said that density resulted in security problems and that increased congestion was inappropriate.

Robert Passmore, Planner V (Zoning), said that the recommendation was for disapproval. Mr. Passmore said that the area was congested and that density was problematic. The present classification, he said, will not effect the assessed valuation.

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Commissioner Nakashima moved disapproval. The motion was seconded by Commissioner Bierman and passed unanimously as City Planning Commission Resolution No. 8164.

(Absent: Commissioner Dearman)

The meeting adjourned at 6:10 p.m.

Respectfully submitted,

Lee Woods, Jr.
Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION
SUMMARY AND MINUTES
OF THE
REGULAR MEETING
HELD

THURSDAY, FEBRUARY 1, 1979
ROOM 282, CITY HALL
1:30 P.M.

DOCUMENTS DEPT.

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The City Planning Commission met pursuant to notice on Thursday, February 1, 1979, at 1:30 p.m. in Room 282, City Hall.

PRESENT: Toby Rosenblatt, President; Ina F. Dearman, Vice-President; Susan J. Bierman, Joseph Mignola, Yoshio Nakashima, Charles Starbuck, and John Wentz, members of the City Planning Commission.

ABSENT: None

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; Robert Passmore, Planner V (Zoning); Charles Gill, City Planning Coordinator; Selina Bendix, Environmental Review Officer; Alec Bash, City Planning Coordinator; Jerry Owyang, Staff Assistant III; Jim Miller, Planner II; and Lee Woods, Secretary.

Gerald Adams represented the San Francisco Examiner. Marshal Kilduff represented the San Francisco Chronicle. Mike Mewhinney represented the San Francisco Progress.

APPROVAL OF MINUTES

Commissioner Dearman moved for approval of the minutes of the Regular Meetings of January 11 and January 18, 1979. The motion was seconded by Commissioner Nakashima and passed unanimously.

CURRENT MATTERS

Rai Y. Okamoto, Director of Planning, reported that he had received a letter from the Director of the Parking Authority, related to the proposed expansion of the Sutter-Stockton Garage. The Director indicated that a Master Plan Referral review of the proposed expansion was calendared tentatively for March 1, 1979.

Commissioner Starbuck asked that staff indicate to residents, who would be effected by the expansion, that the expansion was being proposed.

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With respect to the Levi's Plaza Project, Commissioner Starbuck asked that the staff indicate to the project sponsor the Commission's interest in an information hearing on Block "F" when the final plans are completed.

With respect to the proposed office structure at 775 Market Street, Commissioner Dearman moved that staff indicate to the developer that the Commission would be favorably impressed if the proposed structure was kept within the current height and bulk requirements of the City Planning Code. The motion was seconded by Commissioner Bierman and passed unanimously.

With respect to 3241 Mission Street and a proposal to acquire the site as part of the Open Space program and a proposal to construct an eight (8) unit apartment building on the site, the Commission expressed its desire to have the Office of Environmental Review prepare a Negative Declaration for Acquisition of the site as open space. This would permit the ten day appeal period to elapse before the joint hearing with the Recreation and Park Commission scheduled for February 13, 1979.

The Commission agreed to calendar a Discretionary Review of the proposed 8-unit apartment building for February 8th. The Commission understood that, at the hearing, it could turn down formally the proposed building, or it could approve the building project by rescinding the Preliminary Negative Declaration for the proposed Acquisition as open space.

CU78.61 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE AT 222 SANSOME STREET, EAST SIDE BETWEEN CALIFORNIA AND PINE STREETS: LOT 13 IN ASSESSOR'S BLOCK 261.
PROPOSAL TO CONTINUE A PARKING LOT AUTHORIZED AS A CONDITIONAL USE BY THE CITY PLANNING COMMISSION BY RESOLUTION NO. 6764 AND 7319 UNTIL NOVEMBER 7, 1978.
(CONTINUED FROM THE MEETING OF DECEMBER 7, 1978.)

A case report was available. It was summarized by Alec Bash, City Planning Coordinator. Mr. Bash said that the staff recommendation was for disapproval. Mr. Bash said that when it was originally approved, it was approved as a short-term use. In addition, Mr. Bash said that a parking lot at that location conflicted with Master Plan policies and that other developments would be more appropriate.

Responding to Commissioner Bierman, Mr. Bash said that there were three issues including appearance of the lot, location of the lot and the rate structure. With respect to the rate structure, he said that removal of the maximum daily rate would encourage short-term use.

Stephan Leonoudakis, representing the applicant, said that the facility was indeed a short-term use facility and that the applicant was not absolutely opposed to the removal of the daily maximum rate. Mr. Leonoudakis said also that the Robert Dollar Company was requesting the extension of the Conditional

SUMMARY AND MINUTES OF THE REGULAR MEETING

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Use Authorization period to gain time to develop plans for the site. A Compromise period of less than 5 years for the authorization would be acceptable to us, he said.

David Nelson, representing the Robert Dollar Company, said that a Conditional Use Authorization period of two years would be acceptable.

Commissioner Dearman moved approval of the application with conditions that the maximum daily rate be removed and that the duration of the authorization would be for two years. The motion was seconded by Commissioner Nakashima.

Mr. Leonoudakis said that removal of the maximum daily rate would not be an effective disincentive to long-term use.

President Rosenblatt suggested that perhaps a maximum daily rate of ten dollars would be a sufficient disincentive to long-term use.

Commissioner Dearman amended her motion to include a maximum daily rate of ten (10) dollars. Commissioner Nakashima amended, appropriately, his second.

The motion passed by a vote of 6-1 as City Planning Commission Resolution No. 8165.

(Voting yes: Commissioners Bierman, Dearman, Mignola, Nakashima, Rosenblatt, Wentz; Voting no: Commissioner Starbuck.)

ZM78.22 - REQUEST FOR RECLASSIFICATION OF PROPERTY AT 2577-87 BRYANT
(EE78.430) STREET; PORTION OF LOT 20 IN ASSESSOR'S BLOCK 4209, FROM AN
RH-2 (HOUSE, TWO-FAMILY) DISTRICT TO A C-2 (COMMUNITY BUSINESS).

A case report was available. It was summarized by Alec Bash, City Planning Coordinator. Mr. Bash said that from a staff point of view, the proposed C-2 was reasonable. The subject site, he said, has been initiated as an RC district by the Board of Supervisors. The recommendation, he said, is for approval. The proposed project, he said, would be consistent with a C-2 or an RC district.

A representative of the applicant urged approval. He said that the proposal would rationalize the zoning in the area.

Ariana Fabria, owner of the adjacent lot, said that she opposed the C-2 zoning. We don't need more commercial development and the parking problem resulting from it, she said.

Ms. Fabria read from a letter from the Mission Planning Council. In the letter, the Council expressed its opposition to C-2; however, it favored RC-2. Ms. Fabria, in opposition to the Mission Planning Council, said that she favored retention of RH-2 for RH-2 lots and RC-2 for C-2 lots.

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Robert Passmore said that if the Commission was inclined to favor C-2, the Commission might want a companion resolution of intent to initiate RC for the site in the context of Board initiated RC on 24th Street.

Commissioner Bierman moved approval of the staff recommendation with respect to ZM 78.22. The motion was seconded by Commissioner Nakashima and passed by a vote of 5-2 as City Planning Commission Resolution No. 8166.
(Voting yes: Commissioners Bierman, Mignola, Nakashima, Rosenblatt, Wentz;
Voting no: Commissioners Dearman, Starbuck.)

With respect to the site, Commissioner Bierman moved the Commission's intent to initiate RC zoning in the context of the 24th Street RC proposal. The motion was seconded by Commissioner Nakashima and passed unanimously as City Planning Commission Resolution No. 8167.

ZM78.20 - REQUEST FOR RECLASSIFICATION OF PROPERTY AT SOUTHEAST CORNER
(EE78.405) OF NAHUA AND MOUNT VERNON AVENUES AT SAN JOSE AVENUE; LOT 9
IN ASSESSOR'S BLOCK 7039A, FROM A P (PUBLIC) DISTRICT TO AN
RH-1 (HOUSE, ONE-FAMILY) DISTRICT.

The Commission agreed to waive the case report. Alec Bash, City Planning Coordinator, said that the staff recommendation was for approval.

Commissioner Wentz moved approval of the staff recommendation. The motion was seconded by Commissioner Nakashima and passed unanimously as City Planning Commission Resolution No. 8168.

CU78.72 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE AT 498 FUNSTON
AVENUE, NORTHEAST CORNER AT ANZA STREET; LOT 18 IN ASSESSOR'S
BLOCK 1532, FOR EXPANSION OF A CHURCH IN AN RH-2 (HOUSE,
TWO-FAMILY) DISTRICT.

The Commission agreed to waive the case report.

Dimitri Ilyin, an attorney, represented the owner of the adjacent lot at 486 Funston Avenue. Mr. Ilyin said that his client was not opposed to normal church operation but to nighttime use.

Benjamin Wong, the applicant, said that under no circumstances would church operation extend beyond 10:00 p.m. He said that the capacity of the proposed auditorium would be 289 persons but that usual church attendance was 50 to 60 persons.

Mr. Ilyin stressed his clients opposition to night operation. It'll result in increased parking demand and noise, he said.

Robert Passmore, Planner V (Zoning), said that the entrance to the proposed facility would be on Anza Street. This will alleviate some of the difficulty, he said, and the staff recommendation is for approval with conditions.

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Commissioner Nakashima expressed concern that there be adequate acoustical treatment of the building.

Commissioner Bierman said that the expansion would make the church more of a formal institution. It'll change everything, she said, and cause too many problems for the neighborhood.

Commissioner Wentz moved approval of the staff recommendation. Commissioner Nakashima seconded the motion, stressing the conditions of acoustical treatment and no night operation beyond 10:00 p.m.

Commissioner Starbuck said that the expansion was inappropriate.

The motion passed by a vote of 4-3 as City Planning Commission Resolution No. 8169.

(Voting yes: Commissioners Mignola, Nakashima, Rosenblatt, Wentz; Voting no: Commissioners Bierman, Dearman, Starbuck.)

ZM78.14 - REQUEST FOR RECLASSIFICATION OF PROPERTY AT 602-04 CASTRO (EE78.364) STREET, WEST SIDE, 40 FEET SOUTH OF 19TH STREET; LOT 2 IN ASSESSOR'S BLOCK 2696, FROM AN RH-3 (HOUSE, THREE-FAMILY) DISTRICT TO AN RC-1 (RESIDENTIAL COMMERCIAL COMBINED, LOW DENSITY) DISTRICT.

The Commission agreed to waive the case report. Alec Bash, City Planning Coordinator, said that the recommendation was for disapproval based on the Master Plan policy calling for protection and retention of residential use.

Arnie Charles, the applicant, said that his property abutted commercial property and that at 19th and Castro Streets, he was the entrance and exit to 24 hours of Castro Street. We can't keep the lower residential unit occupied because of the intense commercial development on Castro Street, he said. With C-2, we think that a long-term professional tenancy would be possible, he said. We don't want a retail use, he said.

Commissioner Bierman said that she did not want to appear unsympathetic but that zoning did not seem the appropriate tool for dealing with Mr. Charles' problem.

Lee Meitly, representing the Eureka Valley Promotion Association, said that the Association was on record in opposition to reclassification to C-2.

Peter Fetu, representing the Eureka Valley Community Development Committee, said that the Committee did not support the application. There is no shortage of physicians in the area, the parking problem will be intensified, and we question the inability to keep tenants, he said.

Edgar Celf urged retention of the current zoning.

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Jim Barnett, co-owner of the property, urged approval. Our problem cannot be solved by installation of a gate or fence, he said. It'll ruin the building.

Commissioner Bierman moved the staff recommendation for disapproval. The motion was seconded by Commissioner Wentz and passed unanimously as City Planning Commission Resolution No. 8170.

ZM78.15 - REQUEST FOR RECLASSIFICATION OF PROPERTY AT 892 CORBETT (EE74.231) AVENUE, NORTHWEST CORNER AT HOPKINS STREET; LOT 13 IN ASSESSOR'S BLOCK 2669, FROM AN RH-1 (HOUSE, ONE-FAMILY) DISTRICT TO AN RH-3 (HOUSE, THREE-FAMILY) DISTRICT.

President Rosenblatt indicated that, although it was the Commission's preference to receive requests for continuance in writing, the Commission Secretary had received a telephone call requesting that the matter be continued. It is the sense of the Commission to continue for one week, he said, but we'll take testimony from those who wish to speak.

The Commission agreed to waive the case report.

Ramona Allbright, representing the Twin Peaks Council, said that she opposed a continuance.

Robert Passmore, Planner V (Zoning), said that the recommendation would be for disapproval.

Greg Garr, a member of the Haight-Ashbury Neighborhood Council, urged disapproval.

Danny Schwin, a resident of the area, said that intense problems of parking and circulation made increased density a problem. He urged disapproval.

At this time, Commissioner Mignola left the hearing.

Ramona Allbright said that the Twin Peaks Council opposed the application.

Commissioner Dearman moved that the matter be continued for one (1) week. The motion was seconded by Commissioner Nakashima and passed unanimously. (Absent: Commissioner Mignola)

CU78.56(DR) - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE AT 423 (EE78.323) BURNETT AVENUE, EAST SIDE BETWEEN DIXIE AND COPPER ALLEYS; LOT 48 IN ASSESSOR'S BLOCK 2745, FOR ADDITION OF SECOND AND THIRD DWELLING UNITS ON A LOT WITH A TOTAL AREA OF 5,807 SQUARE FEET, WHEN 1,500 SQUARE FEET IS REQUIRED PER DWELLING UNIT, IN AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT. (PREVIOUSLY HEARD AT THE MEETING OF NOVEMBER 2, 1978.)

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FEBRUARY 1, 1979

A case report was available. It was summarized by Jim Miller, Planner II.

At this time, Commissioner Mignola returned to the meeting.

Richard Crandall, an architect, represented the applicant and described what was being proposed. Responding to Commissioner Bierman, Mr. Crandall said that the height of the proposed structure was a function of restricted lot coverage.

Ramona Allbright said that the Twin Peaks Council was opposed to the proposed structure. It is out of scale, she said, and nothing should be permitted until completion of the combining of the two units of the existing building.

Commissioner Bierman said that she thought that the proposed building was too tall. She asked if any determination had been made when the existing building had been inspected. Responding to Commissioner Bierman, Robert Passmore, Planner V (Zoning), said that two dwelling units had been found but only single occupancy.

Greg Garr, a member of the Haight-Ashbury Neighborhood Council, said that development of San Francisco's hillsides should be slowed.

Mr. Passmore said that the applicant was prepared to complete the conversion of the existing building, as a condition of approval of the proposed building.

Mr. Passmore said that the recommendation was for approval. It's a large lot, the design is good and the bulk of the building has been dealt with sufficiently well, he said.

Ramona Allbright said that the Council would find a proposal for no more than three (3) units and a height not to exceed that at 425 Burnett or less than 30 feet acceptable.

Commissioner Nakashima moved approval of the application with the conditions that construction not begin until full conversion of the existing building was completed, that the total number of units on the lot not exceed three (3) and that the structure not exceed thirty (30) feet.

The motion was seconded by Commissioner Dearman and passed unanimously as City Planning Commission Resolution No. 8171.

The meeting was adjourned at 6:45 p.m.

Respectfully submitted,

Lee Woods, Jr.
Secretary

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SAN FRANCISCO
CITY PLANNING COMMISSION
SUMMARY AND MINUTES
OF THE

REGULAR MEETING
HELD
THURSDAY, FEBRUARY 8, 1979
ROOM 282, CITY HALL
1:30 P.M.

DOCUMENTS DEPT.

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The City Planning Commission met pursuant to notice on Thursday, February 8, 1979, at 1:30 p.m. in Room 282, City Hall.

PRESENT: Toby Rosenblatt, President; Ina F. Dearman, Vice-President;
Susan J. Bierman, Thomas Matoff, Joseph Mignola, Yoshio
Nakashima and Charles Starbuck, members of the City Planning
Commission.

ABSENT: None

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; Robert Passmore, Planner V (Zoning); Wayne Rieke, Planner IV; Alec Bash, City Planning Coordinator; Marianne Miller, Planner II; Barbara Sahn, Assistant Environmental Review Officer; Lee Woods, Secretary.

Gerald Adams represented the San Francisco Examiner. Maitland Zane and Katie Butler represented the San Francisco Chronicle.

APPROVAL OF THE MINUTES

Commissioner Bierman moved approval of the minutes of the Regular Meeting of January 25, 1979. The motion was seconded by Commissioner Nakashima and passed unanimously.

Commissioners Mignola and Rosenblatt were late in arriving for the meeting.

CURRENT MATTERS

The Director of Planning, Rai Okamoto, introduced Chi-Shin Shao who recently joined the staff of the Plans and Programs Section of the Department.

Commissioner Starbuck asked that the staff determine what progress had been made with respect to the elderly housing project proposed for Sacramento and Stockton Streets. Further, he expressed concern that the staff bring to the Commission proposed "solar" amendments to the Master Plan. Commissioner Starbuck requested that tenants who would be in the path of the proposed Sutter-Stockton Garage expansion, be notified of the possible expansion.

SUMMARY AND MINUTES OF THE REGULAR MEETING

FEBRUARY 8, 1979

RS78.77 - PUBLIC HEARING ON TENTATIVE MAP FOR A 6-UNIT CONDOMINIUM SUBDIVISION AT 155 HANCOCK STREET, SOUTH SIDE BETWEEN NOE AND SANCHEZ STREETS; LOT 47 IN ASSESSOR'S BLOCK 3584.

A case report was available. It was summarized by Alec Bash, City Planning Coordinator. Mr. Bash said that the staff recommendation was for approval with conditions.

Mr. Albert Polanski represented the applicant and urged approval.

Mary Goodsell, President of the Parkmerced Residents Association, said that she opposed the condominium but that she favored condominiums when they were well planned.

Ernest Sulbert said that he was a long-term resident of the area and that he favored condominiums because they would be good for the area.

Commissioner Bierman said that the Commission cared about the welfare of both owners and renters. She said that she would vote in favor of the proposal because of the high cost of new rental construction.

Commissioner Nakashima moved approval of the staff recommendation. The motion was seconded by Commissioner Bierman and passed by a vote of 6-1 as City Planning Commission Resolution No. 8172. (Voting yes: Commissioners Bierman, Dearman, Matoff, Mignola, Nakashima, Rosenblatt; Voting no: Commissioner Starbuck.)

CURRENT MATTERS (CONTINUED)

President Rosenblatt made reference to the request of Marshall Hale Hospital to postpone for three (3) months its scheduled Conditional Use hearing.

President Rosenblatt noted that there was no one present representing the hospital.

Wayne Rieke, Planner IV, indicated that he had not been able to contact the administrator of the hospital but that a message had been left with the administrator's secretary.

In the context of State Assembly Bill No. 884, Robert Passmore, Planner V (Zoning), said that a three month extension could be problematic.

Commissioner Dearman said that she opposed any delay.

Representing the West Bay Health Systems Agency, Andrew Sun said that the Agency was prepared, if it got the necessary information, to complete its review of the hospital proposal to accommodate the Commission's scheduled hearing.

SUMMARY AND MINUTES OF THE REGULAR MEETING

FEBRUARY 8, 1979

Commissioner Starbuck moved that the staff draft a letter to Marshall Hale Hospital indicating that the constraints imposed by AB 884 made a postponement impossible and asking that the hospital make its submission to the West Bay Health Systems Agency. The motion was seconded by Commissioner Nakashima and passed unanimously.

With respect to the prior Conditional Use and its provision for "acute care" and "extended care" beds, Mr. Passmore said that the hospital would be notified that it was in violation of the Conditional Use.

RS78.78 - PUBLIC HEARING ON TENTATIVE MAP FOR A 6-UNIT CONDOMINIUM CONVERSION SUBDIVISION AT 5407 DIAMOND HEIGHTS BOULEVARD, EAST SIDE BETWEEN DIAMOND AND ADDISON STREETS; LOT 12 IN ASSESSOR'S BLOCK 7539.

A case report was available. It was summarized by Alec Bash, City Planning Coordinator. Mr. Bash said that the staff recommendation was for disapproval. There are a large number of conversions in the area, he said. Any additional conversions would not be consistent with the Master Plan.

Commissioner Bierman said that in her view, the city was too small for a large number of conversions in one area not to have an impact on the entire city.

Steve Zakula represented the applicant, the Pacific Union Company. Mr. Zakula said that conversion was a way of dealing with the increasing cost of housing. Tenants, he said, will be offered a ten percent discount.

Nancy Lieberoff, representing Citizens Against Condominium Conversion, said that there should be a moratorium tied to a five percent vacancy factor on conversions.

Mary Goodsell said that the issue was greed and speculation and urged disapproval.

Commissioner Starbuck moved the staff recommendation for disapproval. The motion was seconded by Commissioner Dearman and passed unanimously as City Planning Commission Resolution No. 8173.

RS78.73 - PUBLIC HEARING ON A TENTATIVE MAP FOR A 6-UNIT CONDOMINIUM CONVERSION SUBDIVISION AT 2806 UNION STREET, NORTH SIDE BETWEEN BAKER AND LYON STREETS; LOT 5 IN ASSESSOR'S BLOCK 948.

A case report was available. It was summarized by Alec Bash, City Planning Coordinator. Mr. Bash said that the recommendation was for consistency with the Master Plan and approval with conditions.

Joe Pirelli, the applicant, said that he was prepared to comply with the conditions which had been negotiated with the staff.

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Commissioner Bierman said that she was going to vote no. There is a housing crisis in this city. The Master Plan calls for housing choice but also maintenance of a suitable, quality, rental stock. She moved disapproval.

The motion was seconded by Commissioner Dearman and passed by a vote of 5-2 as City Planning Commission Resolution No. 8174.
(Voting yes: Commissioners Bierman, Dearman, Matoff, Nakashima, Starbuck;
Voting no: Commissioners Mignola, Rosenblatt.)

RS78.74 - PUBLIC HEARING ON TENTATIVE MAP FOR A 15-UNIT CONDOMINIUM
CONVERSION SUBDIVISION AT 237 ARGUELLO BOULEVARD, WEST SIDE
BETWEEN CALIFORNIA AND LAKE STREETS; LOT 7 IN ASSESSOR'S
BLOCK 1361.

A case report was available. It was summarized by Alec Bash, City Planning Coordinator. Mr. Bash said that the case report had been amended to reflect a number of long-term tenancies in the sense of periods ranging from two to three months. Mr. Bash said that the recommendation was for approval with conditions.

Tim Tosta represented the applicant. Mr. Tosta said that his client had purchased the building in January of 1978. The building, he said, has been used for short-term tenancy. It has not been used as a hotel, and there have been no rentals for less than two weeks, he said. Mr. Tosta said that the building had not been used for typical rental housing and that the tenants had had knowledge of the building's use for short-term tenancy.

Commissioner Dearman noted that the policy of short term tenancy was the owner's choice.

Sandra James said that in October, she had signed a nine (9) month lease with no knowledge of the possible conversion.

Raymond James said that when he moved in, he was asked to sign away his right to purchase a converted unit. He said that he paid \$400 monthly for a one (1) bedroom unit.

Mary Goodsell expressed concern for anyone purchasing a unit in the building.

B.J. Massissini represented the San Francisco real estate community.

Ms. Ramirez said that she had been a resident at 237 Arguello Street since 1973. In October of 1978, she said that she was given thirty (30) days notice to move. I was never told that it was to be a hotel or condominium conversion, she said.

Commissioner Dearman moved disapproval of the application. The motion was seconded by Commissioner Starbuck and passed by a vote of 5-2 as City Planning Commission Resolution No. 8175.
(Voting yes: Commissioners Bierman, Dearman, Matoff, Nakashima, Starbuck;
Voting no: Commissioners Mignola, Rosenblatt.)

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RS78.79 - PUBLIC HEARING ON TENTATIVE MAP FOR A 15-UNIT CONDOMINIUM CONVERSION SUBDIVISION OF FORMER NURSES OFFICES AND RESIDENCE AT 1155 PINE STREET, SOUTH SIDE BETWEEN LEAVENWORTH AND JONES STREETS; LOT 26 IN ASSESSOR'S BLOCK 276.

A case report was available.. It was summarized by Alec Bash, City Planning Coordinator. Mr. Bash said that the recommendation was for consistency with the Master Plan and approval with conditions.

James Johnson represented the applicant. Mr. Johnson said that the applicant was prepared to comply with the staff's proposed conditions. Those units, he said, are being renovated and put back in the market. He said that for many years, the building had not been in truly rental use. It's a neighborhood of singles desiring small apartments. The building is uniquely suitable for conversion, and there is demand for that type of unit, he said.

Responding to Commissioner Starbuck, Mr. Johnson said that there was no parking.

Commissioner Bierman said that the type of rentals being proposed for conversion was scarce. We must preserve a quality rental stock, and I will move disapproval, she said.

Commissioner Starbuck said that rental housing in the Pine-Bush corridor had to be preserved. I'll second the motion, he said.

Mr. Johnson said that ownership opportunity for this type of unit was uncommon. There is a need, he said, for ownership opportunity.

In terms of the loss of rental housing in the Pine-Bush corridor, Commissioner Starbuck said that there was already the appearance of a "domino" effect.

The motion for disapproval passed by a vote of 5-2 as City Planning Commission Resolution No. 8176.
(Voting yes: Commissioners Bierman, Dearman, Matoff, Nakashima, Starbuck;
Voting no: Commissioners Mignola, Rosenblatt.)

DR79.3 - CONSIDERATION OF DISCRETIONARY REVIEW AT 3241 MISSION STREET. PROPOSAL TO CONSTRUCT AN 3-UNIT APARTMENT BUILDING WITH A GROUND FLOOR COMMERCIAL USE IN A C-2 (COMMUNITY BUSINESS) DISTRICT; LOTS 42A, 43A AND 69 IN ASSESSOR'S BLOCK 5615.

Robert Passmore, Planner v (Zoning), reported that the City Attorney's Office had advised that the Commission take no action whatsoever with respect to this matter. The recommendation, he said, is that the Commission continue the matter.

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James Reilly, an attorney representing P.J. Brosnan asked to be permitted to speak before the Commission. Mr. Reilly said that the Commission had no jurisdiction. I am challenging your jurisdiction, he said, and if you go ahead, you'll take your chance.

Because of a pending law suit involving Mr. Reilly and Commissioners Bierman, Dearman and Starbuck, Commissioner Starbuck requested that the Commission permit those three Commissioners to abstain from any vote in the matter and to leave the meeting.

Commissioner Nakashima moved that the three Commissioners be permitted to abstain from any vote with respect to DR79.3. The motion was seconded by Commissioner Mignola and passed unanimously.

Mr. Reilly said that he was challenging the Commission's jurisdiction. He made the following statement:

P.J. Brosnan is the owner of those certain parcels in the City and County of San Francisco known as Lots 42A, 43A and 69, 3241 Mission Street, San Francisco, California. Mr. Brosnan, intending to develop these unimproved lots, applied for a building permit. Pursuant to this intention, Mr. Brosnan caused plans and specifications to be drawn for the construction of a building on the land. These plans conform in every way to the requirements and purposes of the Planning and Building Codes of the City and County of San Francisco, and were so found to be in conformity by the Planning staff.

Despite the conformity to code requirements of these plans, the Planning Commission exercised its so-called power of "discretionary review", and called for a hearing on the permit application. This review--designated DR79.3--was called as Items #7 and #8 on the Commission calendar for Thursday, February 8, 1979.

Discretionary review was calendared to prevent any further processing of the plans in light of a recommendation (before Proposition 13) that the land be acquired by the City for open space. At the time the case was called, Mr. Brosnan's attorney challenged the jurisdiction of the Commission.

APPLICABLE LAW

1. The local government units, and local government officials acting in their official capacities may be sued for damages under the Civil Rights Act of 1871.

Title 42, section 1983 of the United States Code provides:

Every person who, under color of any statute ordinance, regulation, custom, or usage, of any State or Territory, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.

In the case of Monell v. Department of Social Services of the City of New York (1978) 98 SCt. 2018, certain female employees of the above named department sued the department, and others, to challenge the policy of the defendants which required pregnant employees to take unpaid leaves. The suit sought both a declaration of the unconstitutionality of the practice/policy and an award of back pay.

The United States Supreme Court reviewed the legislative history of the act, as well as the former leading case of Monroe v. Pape (81 SCt. 473), and concluded that Monroe should be overruled to the extent that it held local governments absolutely immune from suit under 42 USC 1983. Such governmental units, and their officials, are "persons" within the purview of section 1983, and may be held liable for subjecting citizens, and others within U.S. jurisdiction, to violations of their civil rights as specified in that section. Liability extends to money damages, injunctive and declaratory relief.

Finally, the Court held the action or activity alleged to be unconstitutional, and giving rise to damages under section 1983, may be one that executes the government's policy or custom, whether made by lawmakers, or those whose edicts may fairly be said to represent official policy (Monell, supra, at p. 2038). Even though it may not have received formal approval through regular governmental, decision-making channels, a governmental "custom" which creates a deprivation of constitutional rights can be the basis of an action under this section (Monell, supra, at p. 2036).

2. The Planning Commission of the City and County of San Francisco, and other units of the government, have unconstitutionally deprived Mr. Brosnan of his vested and fundamental rights.

The pertinent sections of San Francisco Municipal and County law applicable to this case are as follows:

Section 7.500 of the San Francisco Charter provides:

7.500 Approval of Permits and Licenses

No permit or license that is dependent on or affected by the zoning, set-back or other ordinances of the city and county administered by the city planning commission, shall be issued except on the prior approval of the city planning commission. (emphasis supplied)

Section 26 of Article III of the Municipal Code provides:

SEC. 26. Facts to Be Considered by Departments.

In the granting or denying of any permit, or the revoking or the refusing to revoke any permit, the granting or revoking power may take into consideration the effect of the proposed business or calling upon surrounding property and upon its residents, and inhabitants thereof; and in granting or denying said permit, or revoking or refusing to revoke a permit, may exercise its sound discretion as to whether said permit should be granted, transferred, denied or revoked. (emphasis supplied)

As pertains to Section 26, Article III, it is Sections 1.00 through 1.74, inclusive, of the Municipal Code which specify what offices, departments and/or commissions are the granting/revoking authorities for any given permit or license. Nowhere in Section 1.00 through 1.74 is the Planning Commission specified as a permit-issuing body.

Finally, Section 2 of Article III of the Municipal Code sets forth cases in which a granting/revoking authority must obtain Planning Commission approval of a given application for permit license:

SEC. 2. Approval of City Planning Commission.

The head of any department or office authorized to issue permits or licenses shall secure the approval of the City Planning Commission for any application for a permit or license, in any case where it is not clearly prescribed by the zoning ordinances and regulations of the city and county that the business, enterprise or activity for which application for a permit is made, can legally be established on or at the location covered in the application for permit.

Read together, and within the context of this case, these sections clearly demonstrate that the Planning Commission has used a policy and "custom" such as to deprive Mr. Brosnan of his rights under the constitution.

First, it is clear that the Planning Commission is a body upon whom has been bestowed only the duty to "approve" or "disapprove" a permit affected by zoning, and other related laws of the City and County of San Francisco. It is not a granting/revoking authority such that Section 26 of the Code would apply to its activities.

Second, since in this case all applicable codes and ordinances have been complied with, there was no independent requirement to consult the Planning Commission pursuant to Section 2 of the Code.

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Although no doubt existed as to the compliance of Brosnan's plans with all laws, the Planning Commission called for a hearing on this matter under color of its purported power of "discretionary review"--a power that a careful reading of Charter Section 7.500, and Municipal Code Section 26 demonstrates it does not, in fact, have.

The Commission lacks jurisdiction to proceed in this matter for the reasons set out above. Further, if the Commission does abuse its power and acts in this matter, then the City and County of San Francisco and each Commissioner personally may have to respond for damages caused to Mr. Brosnan by their actions under the provisions of 42 USC 1983.

At the conclusion of Mr. Reilly's statement, President Rosenblatt said that the staff recommendation was to continue the matter to permit time for City Attorney's review. The staff, he said, believes that the review should be completed by March 1, 1979.

Sam Schneider, representing the applicant, asked that the Commission permit Mr. Brosnan's plans to be processed. The applicant should not suffer inflationary construction costs, he said.

The Commission agreed that Mr. Brosnan's plans should be processed as under usual conditions.

Commissioner Matoff moved that the matter be continued no later than March 1, 1979. The motion was seconded by Commissioner Nakashima and passed unanimously.

Frank Gallagher expressed a desire to speak on the matter. President Rosenblatt said that, on the advisement of the City Attorney's Office, the Commission was not prepared to take public testimony or discuss the matter.

O.M. Corbett expressed a desire to speak. Again, President Rosenblatt indicated that the Commission was not prepared to discuss the matter.

DR78.82 - CONSIDERATION OF DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NO. 7812898 AT 1007 TARAVAL STREET. PROPOSAL TO BUILD A NEW BRANCH BANK FACILITY OF APPROXIMATELY 15,500 SQUARE FEET AND AN UNDERGROUND PARKING GARAGE FOR 25 CARS ON A TOTAL SITE OF 130 FOOT FRONTAGE TO INCLUDE LOTS 1, 2 AND 24 IN ASSESSOR'S BLOCK 2405, AFTER DEMOLITION OF EXISTING 6,000 SQUARE FOOT BRANCH BANK FACILITY, AND TWO ADJACENT COMMERCIAL PROPERTIES.

Robert Passmore, Planner V (Zoning), indicated that the environmental evaluation for the building permit application had not been completed and

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that no action on the Discretionary Review was possible. Mr. Passmore said that action was possible on the set-back which effects the bank's proposal.

The Commission agreed that it desired to take Discretionary Review and to hear the set-back simultaneously. The Commission Secretary called DR78.82 and S78.2.

S78.2 - 1007 TARAVAL STREET, SOUTHWEST CORNER OF 20TH AVENUE; LOT 1 IN ASSESSOR'S BLOCK 2405.
ABOLITION OF A 15-FOOT SET-BACK ALONG 20TH AVENUE.

A case report was available. It was summarized by M^{rs} Anne Miller, Planner II.

Representing the applicant, Rick Silliman said that the present structure was a 50 years old wood-frame building with building code deficiencies. We're asking for a twenty-one percent increase in space, he said. That amounts to 15,284 square feet. Mr. Silliman said that space standards for employees had increased. Responding to Mr. Passmore, Mr. Silliman said that building code requirements were the basis of the need for additional space.

George Matsamoto, the project architect, said that a suitable structure could not be constructed in the context of a 15 feet set back. A big building is being prepared, he said, but we've tried to reduce the environmental impact.

Mr. Matsamoto said that the structure would be 18 feet at the garage entrance. Twelve feet high, terraced planter boxes at the garage entrance would separate the building from the adjoining residential house, he said.

Commissioner Bierman said that the proposed building was too powerful, too much for the neighborhood and that there would be no need for off-street parking if it were smaller.

Responding to Rai Okamoto, the Director of Planning, Mr. Silliman said that the bank could operate on two levels but that it would be inefficient.

Commissioner Starbuck asked where the institutional intrusion would stop. Mr. Sulliman said that the facility would add to the commercial viability of the area.

Robert Kuhn said that his house was the second from the proposed garage entrance. Our residential tranquility will be destroyed, he said.

Mr. McDowell, whose mother lived immediately adjacent to the proposed garage entrance, said that the facility would disrupt the neighborhood.

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Joe Balanessi, representing the Parkside Improvement Association, said that conflicts in situations where residential and commercial uses were in proximity were inevitable. The garage entrance should not be on Taraval, he said, and the front facade on Taraval Street should be broken up.

Bill Slissman, President of the Taraval Parkside Merchants Association, said that the bank had to expand and that the parking was needed.

Thomas McNaughton said that the area was commercially saturated. At some point parking demand will exceed parking capacity in the facility, he said.

Mrs. McDowell, whose house, she said, was immediately adjacent to the proposed structure on 20th Avenue, said that she was opposed.

Alva Sarobia, a resident of the immediate area, said that the result would be noise and pollution and that she was opposed.

Responding to President Rosenblatt, Mr. Silliman said that the bank did not plan major change to the proposed design. In terms of the Taraval Street facade, the garage appearance and security, we are prepared to make cosmetic changes, he said.

Commissioner Bierman said that the garage entrance would be dangerous and said that it was completely inappropriate in a residential neighborhood.

Mr. Passmore said that the recommendation was to continue to March 15, 1979.

President Rosenblatt asked the staff to work out all design changes before the matter returned to the Commission.

Commissioner Nakashima moved that DR78.82 and S78.2 be continued to March 15, 1979. The motion was seconded by Commissioner Starbuck and passed unanimously.

ZM78.15 - REQUEST FOR RECLASSIFICATION OF PROPERTY AT 892 CORBETT
(EE74.231) AVENUE, NORTHWEST CORNER AT HOPKINS STREET; LOT 13 IN
ASSESSOR'S BLOCK 2669, FROM AN RH-1 (HOUSE, ONE-FAMILY)
DISTRICT TO AN RH-3 (HOUSE, THREE-FAMILY) DISTRICT.
(CONTINUED FROM THE MEETING OF FEBRUARY 1 1979.)

Fred Capignola represented the applicant. He said that it was a standard 25 feet lot fronting on Corbett Avenue. Immediately Adjoining it are three and four unit buildings, he said. The character of the neighborhood is not single-family. We are asking only for the same zoning as the remainder of the lots on Corbett Avenue.

Robery Passmore, Planner V (Zoning), said that the proposed density was too great, that Hopkins Street was single family in character and that the

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recommendation was for disapproval.

Commissioner Nakashima moved the staff recommendation for disapproval. The motion was seconded by Commissioner Starbuck and passed unanimously as City Planning Commission Resolution No. 8177.

Mr. Mazzolu, the property owner, said that every lot on the block was RH-3. Mine is the only RH-1. I want to make more housing for the people, he said.

EE78.274 - APPEAL OF NEGATIVE DECLARATION ON THE ELSIE STREET WIDENING, 100 BLOCK OF ELSIE STREET, SOUTHWEST OF EMERALDA AVENUE TO VIRGINIA STREET, BETWEEN ASSESSOR'S BLOCKS 5618 AND 5619. (CONTINUED FROM THE MEETING OF JANUARY 18, 1979.)

Representing the staff of the Office of Environmental Review, Barbara Sahn, Assistant Environmental Review Officer, said that street widening had been mandated by both the City Planning Commission and the Bureau of Permit Appeals as a condition of proposed development on Elsie Street. Ms. Sahn discussed the preliminary negative declaration. For discussion and possible inclusion in the negative declaration, she introduced a list of suggested changes in mitigation for EE78.274.

Robert Passmore, Planner V (Zoning), said that the Commission had three options: 1. Adopt the negative declaration with additional mitigation measures, 2. Adopt the negative declaration with the mitigation measures as presently proposed, and 3. Require an Environmental Impact Report.

After a discussion of the preliminary negative declaration and the suggested changes in mitigation measures, in which Commissioners Bierman and Dearman expressed concern about the adequacy of the proposed plan in terms of emergency vehicle access and resident safety, the Commission took public testimony.

Roger Borgenicht, of the Northwest Bernal Block Club, said that the proposed plan threatened the life and safety of residents of the neighborhood. An EIR should be required, he said. Further, Mr. Borgenicht said that an EIR would provide a statutory context within which the proposed plan and the Elsie Street Plan could be compared.

Mr. Borgenicht concluded his remark by saying that the proposed plan offered no solution for problems including parking, emergency vehicle access, width of sidewalks, cracks in the street, sewage back-up and slope stability.

Margaret Randolph, a member of Neighborhood Building Review Board, said that the Board had worked satisfactorily with two builders with plans proposed for the area.

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Jean Hamer said that sewage was a real problem in the area.

Penny Potlisch said that the neighborhood supported the Elsie Street Plan and not the proposal under consideration.

Buck Bagot, of the Elsie Street Group of the Northwest Bernal Block Club, said that virtually every resident of the 100 block of Elsie Street supported the Elsie Street Plan.

Kathy Smith, of the Independent Living Center, said that the Neighborhood supported the Elsie Street Plan.

Richard LeCount, owner of lots 15 and 16 in the 100 block of Elsie Street, said that he had been successful in working with the Neighborhood Building Review Board.

Cliff Girard represented the Department of Public Works and said that the Department would have recommended a minimum sidewalk width of three (3) feet in some sections of Elsie Street.

Peter Macchi, an attorney, represented Mr. Richard Alvarez, the project sponsor. Mr. Macchi said that Chief Rose of the San Francisco Fire Department had expressed a preference for the proposed Alvarez Plan. Additionally, Mr. Macchi said that Bill Sheeheen of the Department of Public Works, Streets and Paving, did not believe that there was slippage associated with the crack in the 100 block of Elsie Street. Mr. Macchi said that a 4 feet sidewalk would be installed on the northwest side of the street.

Further, Mr. Macchi said that a comparison of the Alvarez Plan and the Elsie Street Plan would reveal that the proposed Alvarez Plan was the safer plan.

Responding to President Rosenblatt, Buck Bagot said that a principal difference between the proposed plan and the Elsie Street plan was the absence of provisions for slope stabilization in the proposed plan.

Commissioner Bierman said that she believed that the environmental evaluation and preliminary negative declaration did not contain enough information.

Mr. Passmore said that the Department could ask other City departments to review the two plans and comment before a Master Plan referral came before the City Planning Commission. Further, Mr. Passmore said that the Commission had two alternatives: 1. Continue the appeal hearing and ask for an expanded negative declaration and 2. Deny the appeal.

Art Michaels, a project sponsor, said that he had confidence in the ability of city agencies to conduct a competent analysis of the plans.

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President Rosenblatt said that in terms of a comparison of the two plans, life-safety issues should be the primary focus.

Commissioner Starbuck, referring to an earlier presentation of pictures showing a moving van negotiate Elsie Street, asked if the project sponsor would produce pictures showing a standard width, San Francisco fire vehicle negotiating the same section of Elsie Street.

Commissioner Starbuck moved that the matter be continued indefinitely for the purpose of gathering the requested information. The motion was seconded by Commissioner Mignola and passed unanimously.

The meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Lee Woods, Jr.
Secretary

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Minutes of the Regular Meeting held Thursday, February 15, 1979.

The City Planning Commission met pursuant to notice on Thursday, February 15, 1979, at 1:30 p.m. in Room 282, City Hall.

PRESENT: Toby Rosenblatt, President; Ina F. Dearman, Vice-President; Susan J. Bierman, Thomas Matoff, Joseph Mignola, Yoshio Nakashima and Charles Starbuck, members of the City Planning Commission.

ABSENT: None

The staff of the Department of City Planning was represented by Rai Okamoto, Director of Planning; Robert Passmore, Planner V (Zoning); Dick Hedman, Planner V; Barbara Sahn, Assistant Environmental Review Officer; Mary Ann Miller, Planner II; and Lee Woods, Secretary.

Gerald Adams represented the San Francisco Examiner. Marshall Kilduff represented the San Francisco Chronicle. Mike Mewhinney represented the San Francisco Progress.

APPROVAL OF MINUTES

Commissioner Starbuck moved approval of the minutes of the Regular Meeting of July 20, 1978. The motion was seconded by Commissioner Bierman and passed unanimously.

CURRENT MATTERS

Director's Report

The Director asked and Commissioner Dearman, Nakashima and Rosenblatt agreed to participate in the briefing of the selection panel for the Deputy Director.

Commissioners' Questions and Matters

President Rosenblatt requested and the Commission agreed to schedule an executive session to discuss litigation.

Commissioner Matoff and President Rosenblatt asked the staff to seek to clarify the question of the Master Plan Referral for the proposed Embarcadero Center No. 4 and to determine if there are alternative sites proposed as locations for the theatre.

EE79.16 - APPEAL OF NEGATIVE DECLARATION FOR THE PROPOSAL TO RECLASSIFY PROPERTY IN THE CIVIC CENTER AREA BOUNDED BY MARKET, FULTON AND HYDE STREETS AND UNITED NATIONS PLAZA AND BOUNDED BY SEVENTH, LEAVENWORTH AND MARKET STREETS AND UNITED NATIONS PLAZA, LOTS 7, 14, 18, 19, 22, 32, 33, 36, 37, 39 AND 40 AND PORTIONS OF LOTS 8 AND 9 IN ASSESSOR'S BLOCK 351; FROM AN 80-X HEIGHT AND BULK DISTRICT TO A DISTRICT TO BE DETERMINED RANGING BETWEEN 20-X AND 110-X.

The preliminary negative declaration was discussed by Barbara Sahn, Assistant Environmental Review Officer.

Walter Caplan, property owner at No. 1 United Nations Plaza and the appellant, said that increased heights would result in greater shadow in the Plaza area. Increased heights, he said, will wipe out a significant amount of sunlight. This is the basis of my opposition, he said.

Hank Wilson of the Tenderloin Neighborhood Association, urged that an Environmental Impact Report be required. Many people use the Plaza and enjoy the sunlight, he said. Nothing should be allowed to reduce the amount of sunlight, he said.

Doug Franks of the North of Market Senior Center, said that area residents enjoyed the Plaza and that an EIR should be required to gauge the impacts of the proposal.

Bernard Averbush said that sunlight was not the critical factor. People and activity, he said, make plazas enjoyable meeting places.

Hilda Cloud, representing the Grey Panthers, said that many elderly enjoy sitting in the sunlight.

Stuart Bloom said that competition for sunlight was fierce. Require an EIR, he said; the generation of winds by tall buildings should be explored.

Dick Hedman, Planner V, said that his shadow studies indicated that there would be absolutely no significant increase in shadows.

John Toland, representing Haig Mardikian who proposes development near the Plaza, said that an EIR would not reveal anything new. Sustain the negative declaration, he said.

Dorsey Redline, a resident near No. 1 United Nations Plaza, said that the Plaza was used heavily both day and night. Any proposal, she said, should be studied carefully.

Naomi DiGrazia represented the North of Market Senior Center.

With respect to suggestions of Commissioner Bierman, Barbara Sahn, Assistant Environmental Review Officer, said the final negative declaration could be amended to include additional information comparing the proposed height for the Mardikian site to the height of the Orpheum Stagehouse and additional information on shadow which would result from a 90-X proposal on the Mardikian site.

Additionally, she said that the "project description" section of the final negative declaration would be amended to reflect a proposed modification of the height limit from 80 feet to a range of 90 feet to 110 feet.

Commissioner Bierman said that if the Assistant Environmental Review Officer's suggestion were incorporated into the final negative declaration, there would be no need for an EIR.

Commissioner Nakashima moved that the appeal be denied and that the staff recommendation be incorporated into the final negative declaration. The motion was seconded by Commissioner Bierman and passed by a vote of 6-1 as City Planning Commission Resolution No. 8178.

(Voting yes: Commissioners Bierman, Dearman, Matoff, Mignola, Nakashima, Rosenblatt; Voting no: Commissioner Starbuck.)

ZM78.16 - PROPOSAL TO RECLASSIFY PROPERTY IN THE CIVIC CENTER AREA BOUNDED BY MARKET, FULTON AND HYDE STREETS AND UNITED NATIONS PLAZA AND BOUNDED BY SEVENTH, LEAVENWORTH AND MARKET STREETS AND UNITED NATIONS PLAZA, LOTS 7, 14, 18, 19, 22, 32, 33, 36, 37, 39 AND 40 AND PORTIONS OF LOTS 8 AND 9 IN ASSESSOR'S BLOCK 351; FROM AN 80-X HEIGHT AND BULK DISTRICT TO A DISTRICT TO BE DETERMINED RANGING BETWEEN 20-X AND 110-X.
(CONTINUED FROM THE MEETING OF JANUARY 25, 1979.)

Richard Hedman, Planner V, summarized a report to the Director, dated February 13, 1979. Mr. Hedman said:

Since the first hearing on the proposed height changes in the United Nations Plaza area on January 25, 1979, I have visited U.N. Plaza 10 times recording the number of benches occupied, senior citizens and other pertinent data. The surveys were made on days when the weather was reasonable and at times which people would most likely visit the area. Rainy days, very cold days, early morning and late afternoon periods when the Plaza and Mall are largely deserted were not surveyed.

The following conclusions are based upon the survey data and general observations made while conducting the survey:

1. On the best of days at the peak demand period there was always plenty of seating available on the choice benches facing the sun.
2. Additional shadow area resulting from a building 80 to 90 ft. high on the Mardikian site will not displace anyone now wishing to sit in the sun.
3. People, as a rule, do not sit on the benches to watch the fountain, most sitting on the benches seem to ignore it.
4. When the fountain is operating it attracts many additional people to its immediate area.

5. Wind is a key factor in discouraging use of seating along the Mall. Winds frequently are more intense in the Mall than along the Public Library, for example.
6. Few senior citizens were observed using the benches, none sitting about the fountain.
7. A rough appearing crowd seems to keep many senior citizens away, when the rougher groups are gone more senior citizens were observed.

RECOMMENDATIONS:

1. The development of the Plaza frontages and the activity the development will generate will provide more informal policing of the area which should make senior citizens feel more secure.
2. The provision of seating that has some built in wind protection would be desirable throughout the entire Civic Center. Although the Civic Center has more outdoor seating than any other part of the City except Golden Gate Park, its use is limited by the lack of wind protection.
3. In the selection and design of parks now being considered for the Tenderloin, wind protection should be a key consideration.
4. More continuous operation of the fountain and a more varied and active program cycle would attract more people. Some wooden benches near the fountain would probably be appreciated by senior citizens who find the granite too cold and uncomfortable.

Referring to the development proposal of Mr. Haig Mardikian, Stuart Bloom said that it was bad to zone in order to please a developer.

Walter Caplan, property owner at No. 1 United Nations Plaza, said that a ninety (90) feet height limit would permit a big, bulky building.

George Ivolovitch, an architect representing Haig Mardikian, said that the Mardikian site was very sensitive. It is apparent, he said, that to form the gateway to Civic Center, the Mardikian proposal would have to relate to the Federal Building. We could do this with a ninety (90) feet height limit but not with an eighty (80) feet limit, he said.

Dorsey Redline, a resident of the area near the Plaza, said that a ninety (90) feet building would be awkward and inappropriate.

Commissioner Bierman noted that when the Commission was shown a sketch of the Mordikian proposal, the Commission did not know the proposed height.

Haig Mardikian, who proposed development near United Nations Plaza, said that shadows from a development under a ninety (90) feet height limit would have a negligible impact.

Mario Campi, architect and proponent of the Market Street Beautification Program, said that there was a set of specific design criteria for the Civic Center. The staff's recommendations are in conformity with these criteria, he said.

Rai Okamoto, Director of Planning, said that the staff recommendation was for a height limit of 110-X in the area bounded by Seventh, Market, Leavenworth and McAllister Streets. In the area west of the Plaza bounded by Market, Hyde and Fulton Streets, the recommendation is for a ninety (90-X) feet limit.

Commissioner Bierman moved approval of the Director's recommendation for a limit of 110-X in the area bounded by Seventh, Market, Leavenworth and McAllister Streets. In the area west of the Plaza bounded by Market, Hyde and Fulton Streets, she moved a limit of ninety (90-X) feet.

The motion died for lack of a second.

Commissioner Nakashima moved the Director's recommendation. The motion was seconded by Commissioner Mignola and was disapproved by a vote of 4-3 as City Planning Commission Resolution No. 8179.
(Voting yes: Commissioners Bierman, Dearman, Matoff, Starbuck; Voting no: Commissioners Mignola, Nakashima, Rosenblatt.)

Commissioner Mignola moved that a height limit of eighty-seven feet (87-X) be permitted on the site west of the Plaza. The motion died for lack of a second.

DR79.2 - DISCRETIONARY REVIEW OF BOAS RENOVATION PROPOSAL AT 10 SOUTH VAN NESS AVENUE; SOUTHWEST CORNER AT MARKET STREET, LOTS 3A AND 4 IN ASSESSOR'S BLOCK 3506.

Commissioner Mignola said that, to avoid a conflict of interest situation, he would ask that he be permitted to abstain from a vote on the matter.

Commissioner Nakashima moved that Commissioner Mignola be permitted to abstain. The motion was seconded by Commissioner Dearman and passed unanimously.

A case report was available. It was summarized by Mary Anne Miller, Planner II. Ms. Miller said that the staff recommendation was for approval with conditions.

Robert Passmore, Planner V (Zoning), said that the applicant had agreed to a number of conditions and that public testimony was necessary to get the agreement into the record.

Representing the Applicant, Michael Ohleyer said that in terms of Code definitions, no major auto repair would take place in the proposed facility. Further, he said that there would be completed Code compliance in terms of signs; though I believe, he said, that some thought should be given to the length of a building in determining the number of permitted signs.

Mr. Ohleyer said that the South Van Ness Avenue sign was below the second of two roofs. It is therefore in compliance, he said.

Mr. Passmore said that the second rooftop was indeed the top of a penthouse and could not be used as a factor in determining the height of a proposed sign. Mr. Passmore said that the recommendation was for approval but not to permit a sign above the lower roof line.

Bernard Averbush, representing the Market Street Development Project, urged approval of the proposal.

Commissioner Nakashima moved approval of the staff recommendation. The motion was seconded by Commissioner Bierman and passed by a vote of 5-1 as City Planning Commission Resolution No. 8180.
(Voting yes: Commissioners Bierman, Dearman, Matoff, Nakashima, Rosenblatt;
Voting no: Commissioner Starbuck, Abstaining: Commissioner Mignola.)

Commissioner Starbuck said that the proposal would intensify congestion at an already congested intersection.

DR79.4 - DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NO.
7811408 AT 1945 UNION STREET; LOT 39 IN ASSESSOR'S BLOCK 542.

Robert Passmore, Planner V (Zoning), said that the staff was not ready to make a recommendation. We need public testimony, he said. A recommendation, he said, would be made in the context of the Union Street Study.

Don McDonald, the project architect, said that only nine units and nine parking places were involved. Long-term tenancies are difficult to get, he said, because the noise is so bad. Further, he said that additional traffic should not result.

The Applicant, Mr. Kelleher, said that every night was like New Year's Eve on Union Street. My proposal should give me a better cash-flow situation, he said.

Ida Perrenti said that she lived across the street and that she had learned of the hearing only the day before.

Ann Bloomfield urged a continuance.

Mr. Passmore said that the recommendation was to continue but no later than March 29, 1979.

Commissioner Dearman moved that the matter be continued no later than March 29, 1979. The motion was seconded by Commissioner Nakashima and passed unanimously.

The meeting adjourned at 6:30 p.m.

Respectfully submitted,

Lee Woods, Jr.
Secretary

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CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, February 22, 1979

The City Planning Commission met pursuant to notice on Thursday, February 22, 1979, at 1:30 p.m. in Room 282, City Hall.

PRESENT: Ina F. Dearman, Vice-President; Susan J. Bierman, Joseph Mignola, Thomas Matoff, Yoshio Nakashima and Charles Starbuck, members of the City Planning Commission.

ABSENT: Toby Rosenblatt

The staff of the Department of City Planning was represented by Rai Okamoto, Director of Planning; Robert Passmore, Planner V (Zoning); George Williams, Assistant Director of Planning (Plans and Programs); Alec Bash, City Planning Coordinator; Barbara Sahm, Assistant Environmental Review Officer; Nat Taylor, Planner III; Wayne Rieke, Planner IV; Mark Winoground, Planner III; and Lee Woods, Secretary.

Gerald Adams represented the San Francisco Examiner. Marshall Kilduff represented the San Francisco Chronicle; Mike Mewhinney represented the San Francisco Progress.

APPROVAL OF MINUTES

Commissioner Starbuck moved that the minutes of the Regular Meeting of February 1, 1979, be continued to March 1, 1979. The motion was seconded by Commissioner Nakashima and passed unanimously.

CURRENT MATTERS

Director's Report

The Director said that it was necessary to submit a supplemental budget request to provide ad valorem funding for Title II funded positions in the Office of Environmental Review. The request, he said, is in the amount of \$135,346. The Director asked the Commission to approve the supplemental budget.

Commissioner Starbuck moved approval of the supplemental budget. The motion was seconded by Commissioner Bierman and passed unanimously. (Absent: Commissioner Rosenblatt)

Commissioners' Questions and Matters

Commissioner Starbuck again requested that the staff seek to identify possible sources of funding for an Emergency Operating Center. I believe, he said, that there is a strong possibility that there are Federal Civil Defense funds available for this type of facility.

The Director of Planning agreed to explore the possibility of Civil Defense funds and other Federal funds.

EE78.340 - APPEAL OF PRELIMINARY NEGATIVE DECLARATION FOR ZONING RECLASSIFICATION OF HEIGHT AND BULK LIMITATIONS; NOB HILL, GENERALLY BETWEEN POWELL, LARKIN AND BUSH STREETS AND PACIFIC AVENUE, CONSISTING OF ALL OF ASSESSOR'S BLOCKS 182, 183, 187-189, 214-222, 246-254 and 274-278, AND LOTS 14-18 IN ASSESSOR'S BLOCK 181, LOTS 1-24, 31 AND 36 IN ASSESSOR'S BLOCK 184, LOTS 5-10 IN BLOCK 185, LOTS 1-7 AND 23-28 IN BLOCK 186, LOTS 8-16 IN BLOCK 190, LOTS 20-22 IN BLOCK 212, LOTS 2-25 IN BLOCK 213, LOTS 1-9 IN BLOCK 644, LOTS 1-4 IN BLOCK 645, LOTS 8-14 IN BLOCK 245, LOTS 8-13 IN BLOCK 273, LOTS 1, 2 AND 14-23 IN BLOCK 279, LOTS 1, 2 AND 19-31 IN BLOCK 280, LOTS 1, 1A, 1B AND 13-19 IN BLOCK 281, LOTS 1-3 AND 10-17 IN BLOCK 282, LOTS 1-3 AND 12-22 IN BLOCK 283, LOTS 1-6 IN BLOCK 621, LOTS 1-6 IN BLOCK 620 AND LOTS 15-18, 13 AND 25 IN BLOCK 284; FROM 80-A, 105-A, 130-D, 130-E, 160-D, 160-F, 200-D, 200-E, 240-D AND 320-E HEIGHT AND BULK DISTRICTS TO 50-X TO 65-A, 80-A AND 160-A HEIGHT AND BULK DISTRICTS.

William Coblentz, an attorney representing the appellant, announced that the appeal was being withdrawn. No Commission action was necessary.

ZT78.6 - PUBLIC HEARING ON PROPOSED AMENDMENTS, INITIATED BY THE BOARD OF SUPERVISORS, TO THE TEXT OF THE CITY PLANNING CODE, RELATING TO RESIDENTIAL DISTRICTS AND DEVELOPMENT.

Mark Winogrand, Planner III, indicated that the occasion for the meeting was the staff's presentation to the Commission of its recommendations related to the group of approximately 70 City Planning Code text amendments initiated by the Board of Supervisors in April of 1978 and referred to the Commission for its review and recommendation.

There was a very brief discussion of a number of provisions contained in the staff's recommendations.

With respect to Code Section 136, Mr. Winogrand said that there had been proposed a new sub-section, the intent of which was to allow solar energy units in required yards and open spaces under certain circumstances. Mr. Winogrand said that while encouraging solar energy units, the Department would recommend against the specific proposal. The Department believes, he said, that the Ordinance, as it presently exists, provides sufficient space for solar energy units.

Commissioner Starbuck noted that the Zoning Administrator had recommended a simple variance procedure to facilitate the development of solar energy systems.

Robert Passmore, Planner V (Zoning), said that that was correct but that there had not been a case to demonstrate the need for such a procedure.

Commissioner Starbuck said that he had had three people call the Zoning counter and ask about the procedure for acquiring a permit for a solar energy system. Each was told that a variance was required, he said. Commissioner Starbuck said that if the Department needed a test case, he would see that it got one.

PUBLIC HEARING ON RECOMMENDATIONS FOR AMENDMENTS TO THE
SUBDIVISION CODE AS IT RELATES TO CONDOMINIUM CONVERSION
SUBDIVISION.

Nat Taylor, Planner I, presented to the Commission a summary of the Director of Planning's Recommendations for Amendments to the Subdivision Code as it Relates to Condominium Conversion Subdivisions. Mr. Taylor also discussed an addendum to Commission endorsed recommendations for amendments to the Subdivision Code. The Addendum contained language recommended by the City Attorney's Office after its review of the recommendations.

With respect to the City Attorney's Office recommendation that language be included in Section 1388 to permit the Commission to approve a conversion in the absence of 35% tenant approval, Commissioner Bierman said that the language amounted to a substantial change of what the Commission had recommended. My concern, she said, is that much of what we've done is being undone.

Commissioner Nakashima expressed concern that the language proposed by the City Attorney's Office for Section 1386 might back-fire and result in discrimination against elderly persons attempting to rent or lease units.

Alec Bash, City Planning Coordinator, said that appropriate language to discourage discrimination against elderly tenants seeking to lease or rent units, could be included in Section 1386.

John Brauch of the Cathedral Hill Association, characterized condominium conversion as economic strangulation. We must find an accommodation fair to all, he said.

Steve Birnbaum, member of the Citizens' Committee Against Condominium Conversions, said that a moratorium tied to a five (5) percent vacancy factor was needed.

Cal Welsh, representing the San Francisco Housing Coalition, said that a moratorium was needed until the vacancy rate reached five (5) percent.

Hank Wilson, representing the Tenderloin Residents' Association, said that his association supported a moratorium tied to a five (5) percent vacancy factor.

Hilda Cloud, representing the Grey Panthers, said that an advisory Committee created to monitor a vacancy study, should be unbiased.

Andrew Heath of the District No. 11 Residents' Association, said that a moratorium based on a five (5) percent vacancy rate, was needed.

Dan Reedy said that the advisory committee proposed to monitor the vacancy study should be neutral.

Jack Kaufman of the San Francisco Legislative Forum for Older Americans, said that there should be a moratorium until a five (5) percent vacancy factor is reached.

Francis Brown of the San Francisco Legislative Forum for Older Americans, said that conversions should not be permitted.

Wade Hudson of the District No. 11 Residents' Association, called for a moratorium.

Ronald Zimmerman said that he was opposed to any amendments to the Subdivision Code. I oppose any interference with private property, he said.

Tom McCarthy said that it was perfectly permissible for government to place controls on speculation.

Karrie Carroll said that she opposed landlord dictatorship.

Joel Elickman asked what was being done by the Commission to provide for more housing.

Grace Geertz said that conversions were pure greed.

George Williams, Assistant Director of Planning (Plans and Programs), said that the staff's recommendations were a middle course. They provide for tenant protection but permit also some conversions to go forward, he said. Mr. Williams said that there was a draft resolution before the Commission. It reiterates your call for a ninety (90) day moratorium, and it calls for adoption of the staff's recommendations of today.

Commissioner Starbuck said that he would move approval of the staff's recommendation contained in the draft resolution with one addition. He moved that the final "resolved" clause be amended to include a recommendation for a moratorium until a five (5) percent vacancy rate is reached.

The motion was seconded by Commissioner Bierman. She thanked the staff for its hard work and said that she was concerned about the plight of elderly persons. Someone has to listen, she said.

The motion passed unanimously as City Planning Commission Resolution No. 8181.

(Absent: President Rosenblatt)

The meeting adjourned at 6:30 p.m.

Respectfully submitted,

Lee Woods, Jr.
Secretary

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Minutes of the Regular Meeting held Thursday, March 1, 1979.

The City Planning Commission met pursuant to notice on Thursday, March 1, 1979, at 1:30 p.m. in Room 282, City Hall.

PRESENT: Toby Rosenblatt, President; Ina F. Dearman, Vice-President; Susan J. Bierman, Thomas Matoff, Joseph Mignola, Yoshio Nakashima and Charles Starbuck, members of the City Planning Commission.

ABSENT: None

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; Robert Passmore, Planner V (Zoning); Alec Bash, City Planning Coordinator; Charles Gill, City Planning Coordinator; Jim Miller, Planner II; Edward Ezra, Transit Planner I; and Lee Woods, Secretary.

The press was represented by Gerald Adams, San Francisco Examiner and Mike Miwhinney, San Francisco Progress.

APPROVAL OF MINUTES

The minutes of the Regular Meetings of February 1, 1979, and February 8, 1979 were approved as submitted. Commissioner Bierman moved approval. The motion was seconded by Commissioner Nakashima and passed unanimously.

FIELD TRIP

At Noon, members of the City Planning Commission departed from 100 Larkin Street to visit the sites of zoning cases scheduled for March.

CURRENT MATTERS

Robert Passmore, Planner V (Zoning), said that pursuant to the Commission action with respect to the proposal at 423 Burnett Avenue, the applicant's architect had submitted plans for a structure not exceeding thirty (30) feet. We are prepared to recommend to the applicant to proceed with final plans, he said. However, he said that a building permit application would not be approved before completion of conversion of the existing two-unit building. There was no Commission disagreement.

Rai Okamoto, Director of Planning, said that with respect to the proposed Embarcadero Center No. 4, the staff had concluded to recommend against any closure of Davis Street. There are Transit considerations, he said.

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Commissioner Starbuck said that CALTRANS and the Transbay Terminal Authority were interested in and prepared to discuss the location of the Airporter Bus Service in the Transbay Terminal.

President Rosenblatt asked the Director to return in one week, if possible, with a work program for a downtown development study and a supplemental budget for fiscal year 1979-80.

With respect to the proposed Capital Improvements Budget, Commissioner Starbuck moved that the priority rating for the proposed Emergency Operating Center be changed from "B" to "A" and that the funding code be changed to "O" to indicate other funding sources. The motion was seconded by Commissioner Nakashima and passed unanimously.

Commissioner Starbuck requested that Plans and Programs staff assemble, in the form of a resolution, all Commission actions related to the Embarcadero Freeway. There are funds to get rid of that freeway, he said.

Commissioner Starbuck requested that Dr. Bendix, Environmental Review Officer, submit a letter detailing the environmental review status of the Lyman Gee proposal to the Commission.

Commissioner Starbuck said that it was his belief that the Victorian Muse project was approved for 87 units. I believe that what's being constructed is far in excess of 87 units. He asked that the staff verify the number of units under construction.

President Rosenblatt asked to have the Housing Opportunity Sites Report calendared for public comment.

President Rosenblatt indicated that the Northeastern Waterfront Advisory Committee's final land use conclusions would be discussed at a meeting on Wednesday, March 14, 1979, at 2:00 p.m.

EE77.324 - PUBLIC HEARING ON DRAFT ENVIRONMENTAL IMPACT REPORT AMENDMENT TO EE76.74 FOR THE PROPOSED STONESTOWN SHOPPING CENTER RENOVATION PROJECT; BLOCKS GENERALLY BOUNDED BY BUCKINGHAM WAY AND 19TH AVENUE AT STONESTOWN SHOPPING CENTER, IN ASSESSOR'S BLOCKS 7295 AND 7296.
PROPOSAL TO EXPAND AND ENCLOSE THE STONESTOWN SHOPPING CENTER, ADDING 92,000 SQUARE FEET OF SECOND-LEVEL RETAIL SALES AREA; CONSTRUCTION OF A THREE-LEVEL, 857-SPACE PARKING STRUCTURE IN THE PRESENT PARKING LOT AREA EAST OF THE MALL; AND CONSTRUCTION OF A NEW ACCESS ROAD, NORTH OF THE PARKING STRUCTURE.

To avoid a possible conflict of interest situation, Commissioner Dearman requested that the Commission permit her to abstain from any vote in the matter. Commissioner Bierman moved that Commissioner Dearman be permitted to abstain. The motion was seconded by Commissioner Nakashima and passed unanimously.

Edward Ezra, Transit Planner, represented the Office of Environmental Review and reviewed the project description as contained in the Draft Environmental Impact Report Amendment. At the conclusion of Mr. Ezra's presentation, the Commission proceeded to take public testimony.

John Twichell, of Bolles Associates, said that San Francisco State University (SFSU) was proposing a parking facility. There ought to be cumulative analysis of the SFSU proposals and the Stonestown proposals, he said. Mr. Twichell said that beyond the provisions of additional space for parked autos, other transportation alternatives should be considered.

William McQuery, a resident in the area of 20th and Eucalyptus Streets, said that from the proposed access road north of the parking structure, one could travel only in a southerly direction on Nineteenth Avenue. Access to Nineteenth Avenue and the ability to travel in a northerly direction are needed, he said.

In the context of Mr. McQuery's remarks, President Rosenblatt indicated that the Commission had received a letter from the West of Twin Peaks Central Council. The Council endorses, he said, also egress easterly across Nineteenth Avenue to permit northerly traffic flow. The Council's letter, President Rosenblatt said, will become part of the "Comments and Responses" section of the final EIR.

Don Ralya of the Ocean Avenue Merchants Association, said that the Ocean Avenue Association and Stonestown should be able to work compatibly in serving the needs of the area. He said that the Association needed help in getting new businesses to move into the area.

Elena DiAgostina, a resident at 20 Stratford Street, asked about the height and appearance of the proposed garage. She said that one alternative to the proposed garage, would be a shuttle bus system.

Commissioner Starbuck and Commissioner Bierman said that clarification was needed with respect to the height of the proposed garage and its impact on view from east of Nineteenth Avenue.

Thomas Browne, the Project architect, said that the garage would be a two-story facility and that it should not exceed twenty-five (25') feet above existing grade. From an auto, northbound on Nineteenth Avenue, the garage should not be visible, he said.

At the conclusion of public testimony, Commissioners commented briefly on the draft EIR. Commissioner Bierman then moved that the public hearing be closed, that a certification hearing be scheduled for April 5, 1979 and that item No. 4, CU78.14, be continued to April 5, 1979. The motion was seconded by Commissioner Mignola and passed unanimously.

NOTE: A certified court reporter was present at the hearing. An official transcript has been made and is available for reference purposes in the files of the Department of City Planning.

CU78.55 - PIER 23, THE EMBARCADERO AT THE FOOT OF GREENWICH AND FRONT STREETS.

REQUEST FOR CONDITIONAL USE AUTHORIZATION FOR EXPANSION OF AN EXISTING BAR AND RESTAURANT FROM 1,423 TO 3,642 SQUARE FEET, A NON-MARITIME USE IN THE NORTHERN WATERFRONT SPECIAL USE DISTRICT NO. 1, IN AN M-1 (LIGHT INDUSTRIAL) DISTRICT.
(CONTINUED FROM THE MEETING OF NOVEMBER 9, 1978)

A case report was available. It was summarized by Charles Gill, City Planning Coordinator. Mr. Gill said that the staff recommendation was for approval with conditions. Much effort was made to find an alternate location for the cold storage box, but there appears to be no other practical location, he said. Mr. Gill said that it would be a hardship to the applicant to locate the box inside the restaurant.

Responding to questions from the Commission, James Reuben, the applicant's representative, said that it was not feasible to move the cold storage to another location on the pier. The location of fixtures on the pier makes it difficult to move things around, he said.

The project architect, John Woodford, said that expense was the critical factor in determining the feasibility of constructing a custom refrigerated storage box.

Nan Roth of the Telegraph Hill Dwellers, said that her concern was what was left of the view corridor in the area of the proposed facility. The proposed storage box, she said, will reduce significantly the view corridor. She said that the storage box was inappropriate and that it was a question of the loss of a view corridor or more frequent beer delivery.

Responding to Commissioner Bierman, Mr. M. E. Taylor, the applicant, said that the box would be used to store beer, meat and vegetables. We need, he said, as much as 100 cases of beer for a weekend.

Commissioner Starbuck noted that the Port lease of the property did not conform to policies for the Waterfront.

Commissioner Bierman said that it was view blockage for the storage of beer and that it did not seem right.

Commissioner Starbuck said that there had been thousands of mistakes in terms of Waterfront planning and that it was not his intent to single out the Pier 23 proposal, but he said that he could not vote for the proposal because of the view corridor blockage.

Commissioner Nakashima moved approval of the application for Conditional Use Authorization. The motion was seconded by Commissioner Mignola and passed by a vote of 4-3 as City Planning Commission Resolution No. 8182. (Voting yes: Commissioners Dearman, Mignola, Nakashima, Rosenblatt; voting no: Commissioners Bierman, Matoff, Starbuck.)

CU78.74 - 170 CORWIN STREET, EAST SIDE BETWEEN DOUGLASS STREET AND KITE HILL, LOT 22, IN ASSESSOR'S BLOCK 2714.
REQUEST FOR CONDITIONAL USE AUTHORIZATION FOR ADDITION OF FIFTH UNIT ON A LOT WITH AN AREA OF 5,210 SQUARE FEET, WHEN 1,000 SQUARE FEET IS REQUIRED PER DWELLING UNIT, IN AN RH-3 (HOUSE, THREE-FAMILY) DISTRICT.

A case report was available. The Commission waived a presentation of it.

Alec Bash, City Planning Coordinator, said that the staff recommendation was for approval.

In the absence of anyone wishing to testify, Commissioner Nakashima moved approval. The motion was seconded by Commissioner Bierman and passed unanimously as City Planning Commission Resolution No. 8183.

CU79.1 - 1278 - 35TH AVENUE, EAST SIDE BETWEEN IRVING STREET AND LINCOLN WAY, LOT 28 IN ASSESSOR'S BLOCK 1716.
REQUEST FOR CONDITIONAL USE AUTHORIZATION FOR RESIDENTIAL CARE FACILITY FOR EIGHT PERSONS, PREVIOUSLY UTILIZED FOR SIX PERSONS, IN AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT.

A case report was available. The Commission agreed to waive a presentation of it.

Alec Bash, City Planning Coordinator, said that the staff recommendation was for approval.

Commissioner Nakashima moved approval. The motion was seconded by Commissioner Bierman and passed unanimously as City Planning Commission Resolution No. 8184.

CU79.5 - 7777 GEARY BOULEVARD, SOUTHEAST CORNER AT 42ND AVENUE, LOTS 42, 52, 53 AND 54 IN ASSESSOR'S BLOCK 1503.
REQUEST FOR CONDITIONAL USE AUTHORIZATION FOR CHILD CARE FACILITY FOR APPROXIMATELY 35 CHILDREN WITHIN EXISTING CHURCH, IN AN RM-1 (MIXED RESIDENTIAL, LOW DENSITY) DISTRICT INITIATED BY THE BOARD OF SUPERVISORS FOR AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT.

Jim Miller, Planner II, said that the staff recommendation was for approval.

Commissioner Bierman moved approval. The motion was seconded by Commissioner Nakashima and passed unanimously as City Planning Commission Resolution No. 8185.

DR79.3 - CONSIDERATION OF DISCRETIONARY REVIEW AT 3241 MISSION STREET.
PROPOSAL TO CONSTRUCT AN 8-UNIT APARTMENT BUILDING WITH A
GROUND FLOOR COMMERCIAL USE IN A C-2 (COMMUNITY BUSINESS)
DISTRICT; LOTS 42A, 43A AND 69 IN ASSESSOR'S BLOCK 5615.
(CONTINUED FROM THE MEETING OF FEBRUARY 8, 1979)

Robert Passmore, Planner V (Zoning), indicated that the City Attorney's review of the matter had not been completed and that the recommendation was that the Commission take no action.

The Commission agreed to take no action.

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Minutes of the Regular Meeting held Thursday, March 8, 1979.

The City Planning Commission met pursuant to notice on Thursday, March 8, 1979, at 1:00 p.m. in Room 282, City Hall.

PRESENT: Toby Rosenblatt, President; Susan J. Bierman, Thomas Matoff, Joseph Mignola, Yoshio Nakashima and Charles Starbuck, members of the City Planning Commission.

ABSENT: Commissioner Ina F. Dearman

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; Robert Passmore, Planner V (Zoning); Alec Bash, City Planning Coordinator; Selina Bendix, Environmental Review Officer; Barbara Sahm, Assistant Environmental Review Officer; Wayne Rieke, Planner IV; Lu Blajez, Staff Assistant V, and Lee Woods, Secretary.

The press was represented by Gerald Adams, San Francisco Examiner; and Mike Mewhinney, San Francisco Progress.

APPROVAL OF MINUTES

Minutes of the Regular Meeting of September 7, 1978, and February 15, 1979, were unanimously approved.

CURRENT MATTERS

With respect to a Downtown Development Study and Plan, the Director announced that key elements of a work program were being revised and that he expected to present the work program to the Commission on March 15, 1979.

The Director of Planning reported that BART was proceeding with the development of a parking facility in the Southwest corner of the City. This is being done without Conditional Use approval, he said. The Director said that he would write the City Attorney's Office and request a clarification of jurisdiction.

Alec Bash, City Planning Coordinator, reported that Supervisor Carol Ruth Silver had introduced recommendations for amendments to the Subdivision Code. Mr. Bash described the Supervisor's proposals in the context of City Planning Commission recommendations.

Commissioner Bierman said that the Supervisor's recommendations seemed to be major proposals. She asked if there was the necessity for a Commission hearing. Mr. Bash said that the recommendations would not effect the City Planning Code and that no Commission hearing was mandatory.

Commissioner Bierman said that the introduction of major new recommendations made even more clear the need for a moratorium in the interim. She said that perhaps a letter, reaffirming the Commission's belief in the need for a ninety (90) day moratorium, should be sent to the Board.

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Mr. Bash said that he believed that the City Attorney was not prepared to endorse the concept of a retroactive moratorium. Commissioner Bierman said that she did not realize that the issue was so clear.

Commissioner Starbuck moved that the Director send a letter to the President of the Board and the Chairperson of the Planning, Housing and Development Committee. Indicate, he said, the total number of units for which there are conversion applications pending and the need for a separate debate on the moratorium as opposed to the ordinance recommendations. The motion was seconded by Commissioner Bierman and passed unanimously.

Commissioner Starbuck requested and the Commission agreed to have a consideration of the Sutter-Stockton Garage expansion proposal calendared as a separate item.

Commissioner Bierman said that she had received a telephone call from a tenant of a building at 1966 Pacific Avenue. The building, she said, was approved for conversion with a condition that tenants could receive a maximum of \$2,000 for moving expenses. The tenant is having difficulty collecting the moving expenses, she said. She requested the staff to see if something could be done.

Commissioner Bierman asked that the staff inform the Commission of the status of the proposed RC-1 district on Sacramento Street between Spruce and Lyon Streets.

President Rosenblatt asked the staff for a progress report on the enforcement action related to Marshal Hale Hospital.

EE79.52 - PUBLIC HEARING ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR WASTE WATER SLUDGE MANAGEMENT PROJECT FOR THE BAY REGION AND THE CITY AND COUNTY OF SAN FRANCISCO.
PROPOSAL FOR A TWO-STAGE COMPOSTING AND LANDFILLING PROJECT FOR SAN FRANCISCO SEWAGE SLUDGE DISPOSAL. ALTERNATIVE SITES IN THE CITY OF BRISBANE AND IN THE CITY OF MOUNTAIN VIEW ARE PROPOSED FOR THE COMPOSTING OPERATION.

Selina Bendix, Environmental Review Officer and Barbara Sahm, Assistant Environmental Review Officer, represented the Department of City Planning.

Kathy Hillyard represented the San Francisco Bay Region Wastewater Solids Study. Describing the Regional Sludge Management Plan, Ms. Hillyard made brief introductory remarks, at the conclusion of which the Commission took public testimony.

The following persons commented on the draft environmental impact report:

1. Larry Burnett
2. Yvonne Sanjewell

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3. David Westerbeck
4. Frank Eddiago
5. Joel Kissins

At the conclusion of public testimony, Commissioner Bierman moved that the public hearing be kept open to provide additional time for public review and she moved that additional information be provided in terms of impacts analysis and alternatives and to continue the hearing to April 12, 1979. The motion was seconded by Commissioner Nakashima and passed unanimously. Commissioner Dearman was absent.

A court reporter was present. An official transcript was made and is available for reference purposes in the files of the Department of City Planning.

MP79.1 - KAISER FOUNDATION HOSPITAL, 2425 GEARY BOULEVARD, 2200 O'FARRELL STREET AND RELATED PROPERTY WHICH IS A PART OF THE KAISER SAN FRANCISCO MEDICAL CENTER; LOT 34 IN ASSESSOR'S BLOCK 1080, LOT 5 IN ASSESSOR'S BLOCK 1095, LOTS 12, 44 AND 45 IN ASSESSOR'S BLOCK 1098 AND LOTS 22 IN ASSESSOR'S BLOCK 1101. PUBLIC HEARING ON THE INSTITUTIONAL MASTER PLAN FOR THE DEVELOPMENT OF THE HOSPITAL OVER THE NEXT TEN OR MORE YEARS.

Wayne Rieke, Planner IV, discussed the background of the Institutional Master Plan for Kaiser Foundation Hospital. Mr. Rieke said that this was Kaiser's first submission since enactment of the Master Plan Ordinance. Kaiser's Plan, he said, calls for the remodelling of existing buildings with a proposal for one new addition of approximately 50,000 square feet. The Plan, he said, has had full Health Systems Agency review.

Sue Hestor, a member of the governing body of the Health Systems Agency, said that there had been a unanimous vote to recommend acceptance of the Master Plan.

Michael Peterson represented Kaiser Hospital. Mr. Peterson said that Kaiser had been very much pleased with its relationship with the Health Systems Agency (HSA). We'll conform to all HSA recommendations for revision to our Plan, he said.

President Rosenblatt asked Mr. Peterson if the Hospital possessed, by specialty, comparative cost data by which Kaiser costs could be compared to costs in other institutions.

Mr. Peterson said no because many of Kaiser's functions were centralized for thirteen (13) hospitals.

President Rosenblatt said that cooperative planning would be uppermost in the minds of Commissioners when Kaiser returned for additional hearings.

Richard O'Connor, a resident of the area, asked Mr. Peterson if the Hospital had a plan to relocate its medical records storage function housed in a residential district at 110-112 Terra Vista Street. Mr. Peterson said that the Hospital had rented, historically, apartment units for functions other than patient care. In this instance, he said, we've been evicted from those units, and we are looking for commercially zoned property to lease.

DR78.69 - DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NOS. 7805252 AND 7805253 TO CONSTRUCT THREE 2-UNIT BUILDINGS AT 111 TO 121 RIPLEY STREET, ASSESSOR'S BLOCK 5524; LOTS 33, 33A AND 33B IN AN RH-2 DISTRICT.

(CONTINUED FROM THE MEETING OF OCTOBER 26 AND NOVEMBER 16, 1978)

Rai Okamoto, Director of Planning, said that all issues between the subdivider and the neighborhood had been resolved. The applicant for Discretionary Review has withdrawn the request and before you, there is a draft resolution for approval, he said.

Commissioner Starbuck moved approval of the draft resolution. It was seconded by Commissioner Nakashima and passed unanimously as City Planning Commission Resolution No. 8186. Commissioner Dearman was absent.

CONCENT CALENDAR

R78.4 - ACQUISITION OF PROPERTY AT WEST CORNER OF KEITH AND YOSEMITE STREETS, LOT 1 IN ASSESSOR'S BLOCK 5419, FOR A SENIOR CITIZEN'S MULTI-PURPOSE COMMUNITY CENTER.

R78.42 - VACATION OF SOUTHERLY PORTION OF EAGLE STREET BETWEEN MONO AND YUKON STREETS FOR MERGER WITH TEN ABUTTING PROPERTIES ON LOTS 1, 1A, 1B, 3B, 3C AND 12 TO 16 IN ASSESSOR'S BLOCK 2713, RESULTING IN A ROADWAY WIDTH OF 28 FEET AND TWO SIX-FOOT SIDEWALKS.

Commissioner Nakashima moved that the Director of Planning be permitted to report that the matters were in conformity with the Master Plan. The motion was seconded by Commissioner Bierman and passed unanimously. Commissioner Dearman was absent.

R73.68 - VACATION OF FARGO PLACE, SOUTHWEST OF BOARDMAN PLACE, BETWEEN BRYANT AND BRANNAN STREETS, TO PERMIT PRIVATE PARKING.

The Director of Planning said that the recommendation was that the matter be found not to be in conformity with the Master Plan.

Alec Bash, City Planning Coordinator, said that the project sponsor, Mr. C.R. Sovig, had indicated an interest in an indefinite continuance but that no formal request had been made.

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Commissioner Bierman and Rosenblatt asked if a delay made any difference. Mr. Bash said no.

Commissioner Nakashima moved that the Director of Planning be permitted to report that the matter is not in conformity with the Master Plan. The motion was seconded by Commissioner Bierman and passed unanimously. Commissioner Dearman was absent.

R78.34 - SIDEWALK NARROWING AT 22 LOWER TERRACE, NORTH OF SATURN STREET, LOT 22A IN ASSESSOR'S BLOCK 2626, TO PERMIT EXTENSION OF GARAGE SERVING 101-03 LOWER TERRACE.

Alec Bash, City Planning Coordinator, said that Dale Champion of the Beuna Vista Neighborhood Association had expressed his opposition.

Ben Worster, the project sponsor, said that he was trying to restore three (3) garages and that he would need to encroach into the sidewalk to get an area big enough for a three (3) car garage.

Mr. Bash said that , based upon Master Plan policies which called for the maintenance of a strong presumption against the giving up of street areas for private ownership or use, the recommendation was that the matter be found not to be in conformity with the Master Plan. Additionally, he said that the Department of Public Works was considering the straightening of the street and wanted to keep all options open.

Mr. Bash said that a third garage would require also a Conditional Use authorization.

Mr. Worster said that the garage had always been there, that other portions of the dedicated street had been narrowed and that off-street parking was needed.

Mr. Bash said that the Commission could recommend Master Plan conformity in terms of either revocable encroachment or sale.

Commissioner Starbuck moved that the matter be found not in conformity with the Master Plan. Diminished access for pedestrians troubles me, he said. The motion died for lack of a second.

Commissioner Nakashima moved that the Director be permitted to report that the matter was in conformity with the Master Plan. The motion was seconded by Commissioner Bierman and passed by a vote of 5-1.
(Voting yes: Commissioners Bierman, Matoff, Mignola, Nakashima, Rosenblatt;
Voting no: Commissioner Starbuck)

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COMMISSIONERS' QUESTIONS AND MATTERS CONTINUED

Commissioner Starbuck requested that the Office of Environmental Review notify the Commission of the environmental review status of the proposed Airport Terminal. He asked that the staff notify the Commission when the Lyman Gee permit is received by the Department. Further, he asked to know the content of a letter from the Transportation Policy Group (TPG) to CALTRANS on the proposed 4th Street on-ramp.

With respect to the North Point Pier Project (Pier 39), Commissioner Starbuck asked that TPG direct its attention to problems of vehicular and pedestrian circulation. Further, he asked the staff to determine if the triangular piece of seawall, Lot No. 312 was to have been included in the park of the North Point Pier Project.

The meeting adjourned at 5:30 p.m.

Respectfully submitted,

Lee Woods, Jr.
Secretary

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SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, March 15, 1979.

The City Planning Commission met pursuant to notice on Thursday, March 15, 1979, at 1:00 p.m. in Room 282, City Hall.

PRESENT: Toby Rosenblatt, President; Susan J. Bierman, John Christensen, Joseph Mignola, Yoshio Nakashima and Charles Starbuck, members of the City Planning Commission.

ABSENT: Commissioner Ina F. Dearman

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; Selina Bendix, Environmental Review Officer; Wayne Rieke, Planner IV; Glen Erikson, Transit Planner IV; Robert Passmore, Planner V (Zoning) and Acting Zoning Administrator; Charles Gill, City Planning Coordinator; and Lee Woods, Secretary.

Gerald Adams represented the San Francisco Examiner. Marshal Kilduff represented the San Francisco Chronicle, and Mike Mewhinney represented the San Francisco Progress.

APPROVAL OF MINUTES

Minutes of the Regular Meeting of September 14, 1978, and February 22, 1979, were unanimously approved.

CURRENT MATTERS

Rai Okamoto, Director of Planning, requested and the City Planning Commission agreed to schedule a Budget and Personnel Committee Meeting for March 20, 1979. We would like to discuss the Department's proposed budget for fiscal year 1979-80, he said.

The Director reported that in response to advisement from the City Attorney's Office, the Department had signed off, on March 14, 1979, on the Lyman Gee Apparrel Mart permit. Also, the Director reported that the Acting Zoning Administrator, Robert Passmore, had sent Marshall Hale Hospital a Cease Violation letter on March 14, 1979.

The Director introduced a draft resolution which would authorize the Director to enter into a contract with Wilbur Smith and Associates for consultant services in the context of the Transit Preferential Streets Demonstration Program. He asked that the City Planning Commission approve the agreement for an amount not to exceed \$58,000.

Commissioner Starbuck said that the Department already possessed an excellent study for a preferential streets program. Nothing has been done with that study, he said, and I am opposed to any new study.

Glen Erikson, Transit Preferential Streets Coordinator, said that the proposed contract was for implementation and not additional study.

Commissioner Mignola moved approval of the draft resolution. The motion was seconded by Commissioner Nakashima and passed by a vote of 5-1 as City Planning Commission Resolution No. 8187.

(Voting yes: Commissioners Bierman, Christensen, Mignola, Nakashima, Rosenblatt;
Voting no: Commissioner Starbuck.

RESOLUTION AUTHORIZING THE DIRECTOR OF CITY PLANNING TO SUBMIT A
SUPPLEMENTAL BUDGET REQUEST TO THE BOARD OF SUPERVISORS FOR FUNDS TO
PREPARE A DOWNTOWN DEVELOPMENT PLAN AND IMPLEMENTATION PROGRAM.

(CONTINUED FROM THE MEETING OF MARCH 8, 1979)

Rai Y. Okamoto, Director of Planning, said that as early as the summer of 1976, staff concerns were expressed regarding the adequacy of master plan and planning code provisions governing the downtown central business district (CBD). The over-riding issue then, which has been raised again is whether the C-3 zones (C-3-0, C-3-R, C-3-S and C-3-G) provide more capacity for growth than is reasonable in view of San Francisco's size and the various social and physical costs entailed in the support of such growth.

As you are aware, despite consistent efforts through budgetary requests to fund a major re-evaluation of the CBD planning policies and codes, the Department has only been able to undertake a few ad-hoc studies addressed to specific issues such as circulation and citywide commerce and industry policies. In addition, Commission actions through its Discretionary Review powers have been hampered by lack of an overall framework for evaluation relative to the cumulative effects of new construction and in certain instances jurisdictionally excluded from acting on major projects.

The past two years has seen a major acceleration in construction of new high-rise office development apparently due to improved general market conditions, changes in international investment patterns, gradual improvement in regional mass transportation, rising energy costs and other factors. In addition, there has been renewed interest in retail activity induced partly by the increase in office employment and some of the same forces such as transportation. This increased activity has also included some rehabilitation of existing buildings but the greatest volume has been new construction.

The net impression of the cumulative effect to date is unsatisfactory in terms of the goals and objectives of the 1960's planning effort. Though legal, the buildings constructed do not meet the intent of either the urban design plan, or the code provisions in respect to height and bulk and architectural character and quality. In addition, there seems to be a perception borne out during the San Francisco forum discussions of last year that the San Francisco residents do not benefit sufficiently from CBD growth. Property tax reductions mandated by Proposition 13 intensify this perception. The current effort to place a high-rise control initiative on the November ballot is a formal and organized expression of public concern and dissatisfaction with the status quo. The program outlined in this memo is proposed for your immediate review and endorsement. Also attached is a resolution authorizing a request for a supplemental appropriation for initiation of a Downtown Plan.

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At the conclusion of his remarks, the Director indicated that the Mayor's Office had recommended the submission of a supplemental budget.

Commissioner Bierman asked if there was not a danger that a plan would stimulate the rate of construction proposals. I'm troubled by the phasing aspect of the plan, she said. We seem to be behind, she said.

The Director of Planning said that the Department was not in a position to initiate immediately interim controls. We'll move, he said as quickly as possible.

John Elberling, representing San Francisco Tomorrow (SFT), said that SFT was in sympathy with the Department's proposed action but that the initiative had to move ahead. Mr. Elberling said that in the context of a study plan, there would be a last minute flood of projects. Deal with the problem of interim controls as soon as possible, he said.

Stan Smith of the San Francisco Building Trades Council, said that he would be concerned about interim controls and that he supported a study period.

Norman Rolph of San Francisco Tomorrow (SFT), said that he favored a study period, and he urged enactment of interim controls based on provisions included in the SFT initiative.

Commissioner Bierman moved approval of the draft resolution. The motion was seconded by Commissioner Nakashima.

Commissioner Starbuck said that he could not go along with the resolution and plan. It's too late, he said, and it'll take too long. Further, he said, this matter came up as early as 1976, and nothing has happened.

Commissioner Bierman said that she wanted it clearly understood that her vote for the resolution and study plan did not preclude her endorsement, at a later date, of interim controls.

President Rosenblatt suggested that the study be called a downtown conservation and development plan.

The motion passed by a vote of 5-1 as City Planning Commission Resolution No. 8188.

(Voting yes: Commissioners Bierman, Christensen, Mignola, Nakashima, Rosenblatt;
Voting no: Commissioner Starbuck)

Commissioners' Questions and Matters

Commissioner Nakashima asked if there was an estimate of when the neighborhood commercial studies would begin. Lu Blazej, Staff Assistant V, said that the studies would begin in approximately two weeks.

Commissioner Mignola asked the staff to see if anything could be done to reduce the impact of lighting from the North Point Pier Project.

President Rosenblatt, on behalf of the City Planning Commission, extended welcome to John Christensen, Assistant General Manager of Public Utilities. Effective March 15, 1979, Mr. Christensen was designated as alternate to the General Manager of Public Utilities.

Commissioner Bierman asked the Secretary to draft a letter, from the Commission, to Thomas Matoff. I would like to thank him, she said, for his particular kind of work on the Commission. He did a remarkable job reading and studying issues. Because of his work on the Neiman-Marcus EIR, I'll miss him especially today, she said.

Commissioner Starbuck asked that the staff compare for similarity, the renderings of the 601 Montgomery Street structure to the actual building.

Commissioner Starbuck, in context of the proposed PG&E expansion on Portrero Hill, asked about the status of the proposed Master Plan Policies related to energy and conservation. He restated his request for a copy of the TPG letter to CALTRANS, which related to the 4th Street on-ramp.

In the Context of the proposed KPIX transmission tower, Commissioner Starbuck said that the Code should be rewritten to cover towers in residential districts.

Commissioner Starbuck requested that the staff draft a resolution in support of Senate Bill No. 495.

President Rosenblatt requested that the staff determine if a Master Plan referral hearing was required for the proposed reuse of Patrick Henry School.

STATUS REPORT ON THE PROPOSED SUTTER-STOCKTON GARAGE EXPANSION.

Rai Y. Okamoto, Director of Planning, indicated that he had spoke to Margaret Brady, Director of the Parking Authority. She indicated, he said, that the Authority intends to withdraw its proposal for the expansion.

Commissioner Starbuck said that he would have no objection to continuing the matter if the Parking Authority Director would provide the Commission a letter indicating that the Authority's proposal was being withdrawn and that there would be no bond issue on the November ballot.

Commissioner Boas, the Chief Administrative Officer, participated in this part of the hearing. He said that the private non-profit garages did not always work well in the City's best interest. If a garage fails to make money, he said, deficits must be paid from city coffers. The problem, he said, is that revenues are not always available to the general fund or to the Parking Authority.

Commissioner Bierman said that there must be some way to indicate to the Authority the Commission's concern about the expansion and Mrs. Brady's concern that it is a waste of money.

The Director said that the sponsors realized the importance of the housing issue and intended to address it in terms of re-design.

President Rosenblatt instructed the Director to calendar the matter again at a later date. Ask Mrs. Brady, he said, if a representative of the Authority can be present then.

Commissioner Bierman said that she had grave concern about the necessity of the expansion.

Commissioner Starbuck said that his concern was the \$450,000 bond issue proposed for the November ballot.

Norman Ralph, representing San Francisco Tomorrow (SFT), said that SFT opposed the expansion. Housing units will be lost and the area is already congested, he said.

Sue Lee, representing the Chinatown Neighborhood Improvement Resource Center, said that she concurred with SFT. That housing, she said, can't be replaced.

Commissioner Starbuck moved that the matter be continued to April 12, 1979. The motion was seconded by Commissioner Mignola and passed unanimously.

EE75.100 - SAN ANDREAS PIPELINE NO. 3.

PUBLIC HEARING ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR CONSTRUCTION OF A 66" PIPELINE THROUGH THE CITIES OF SAN BRUNO, SOUTH SAN FRANCISCO AND COLMA AND UNINCORPORATED AREAS IN SAN MATEO COUNTY, A DISTANCE OF 6.5 MILES; EXCEPT FOR 38 STREET CROSSINGS, THE PIPELINE WOULD BE CONSTRUCTED WITHIN AN EXISTING RIGHT-OF-WAY OWNED BY THE SAN FRANCISCO WATER DEPARTMENT.

President Rosenblatt asked if there was anyone who wished to speak. There was no response.

After brief remarks by Selina Bendix, Environmental Review Officer, Commissioner Nakashima moved that the Public Hearing be closed. The motion was seconded by Commissioner Mignola and passed unanimously.

NOTE: A certified court reporter was present. An official transcript was made and is available for reference purposes in the files of the Department of City Planning.

ZM79.12 - PROPOSAL TO RECLASSIFY PROPERTY FROM AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT TO AN RM-2 (MIXED RESIDENTIAL, MODERATE DENSITY) DISTRICT AT 1400 NEWHALL STREET, SOUTHWEST CORNER OF OAKDALE AVENUE, Lots 1 AND 47 AND PARTS OF LOTS 2 AND 46 IN ASSESSOR'S BLOCK 5321.

A case report was available. The Commission agreed to waive a staff presentation of it. Robert Passmore, Acting Zoning Administrator, said that the staff recommendation was for disapproval. We are sympathetic to the intent of the reclassification, he said, but it would have the appearance of a spot zoning, and it would give the owner of the property a special privilege denied other property owners.

William Lightbourne, representing Catholic Social Services, said that the concern for reclassification was a Department of Housing and Urban Development (HUD) requirement that projects proposed for funding have permissible zoning.

Mr. Passmore said that the staff believed that the two church-owned lots could be related to each other in such a way as to make the number of proposed units possible by Conditional Use. Mr. Passmore noted that, if denied, the proposed reclassification could be appealed to the Board of Supervisors.

Commissioner Christensen moved the staff recommendation for disapproval. He said that the resolution of disapproval should indicate the Commission's sympathy and the Commission's urging of the applicant to return for Conditional Use approval. The motion was seconded by Commissioner Nakashima and passed unanimously as City Planning Commission Resolution No. 8189.

ZM79.13 - PROPOSAL TO RECLASSIFY PROPERTY FROM AN RM-1 (MIXED, RESIDENTIAL, LOW DENSITY) DISTRICT TO AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT AT 301 TO 1199 LINCOLN WAY BETWEEN 4TH AVENUE AND FUNSTON AVENUE, LOTS 1, 43-45, 45A AND 46-49 IN ASSESSOR'S BLOCK 1738, LOTS 1 AND 44-51 IN ASSESSOR'S BLOCK 1739, LOTS 1 AND 44-51 IN ASSESSOR'S BLOCK 1740, LOTS 44, 53 AND 54 IN ASSESSOR'S BLOCK 1741, LOTS 1 AND 39-42 IN ASSESSOR'S BLOCK 1742, LOTS 44A AND 45-50 IN ASSESSOR'S BLOCK 1743, LOTS 1, 17 AND 21-25 IN ASSESSOR'S BLOCK 1744, LOTS 1 AND 18-25 IN ASSESSOR'S BLOCK 1745 AND LOTS 1 AND 17-24 IN ASSESSOR'S BLOCK 1746.

With respect to calendar item no. 6 (ZM79.14) and calendar item no. 7 (ZM79.15), the Commission agreed that it would consider these items concurrently with calendar item no. 5 (ZM79.13).

A case report was available. It was summarized by Wayne Rieke, Planner IV.

Allen Chalmers, representing the Inner Sunset Action Committee (ISAC), urged the Commission to approve reclassification to RH-2 and to disapprove the reclassifications to RM-1, RM-2 and RM-3.

Dennis Moscofian, representing ISAC, said that he concurred with Mr. Chalmers. He noted that beyond federal housing programs for the elderly, San Francisco has no elderly housing program.

Jeff Reinhart urged disapproval of any upzoning with respect to the proposal to construct elderly housing at 855 Lincoln Way. Mr. Reinhart said that it was a quality of life issue. The elderly drive cars and need as much parking as anyone else, he said.

Dave Queen, representing the Inner Sunset Community Food Store, said that the elderly housing proposal was a ploy. He urged approval of RH-2 for the subject areas.

Sam Schneider, representing the residential builders, said that the builders had proposed the RM-1 and RM-2 at 501 to 1799 Lincoln Way. Mr. Schneider said that the city needed areas where multiple units buildings could be constructed. With respect to AM79.14, he urged approval of EM-2.

With respect to the site at 855 Lincoln Way, Andrew Heath said that density could improve the quality of life. He said that an architecturally appropriate building should be possible at 855 Lincoln Way.

Joseph Fitzpatrick, who proposed elderly housing at 855 Lincoln Way, said that it was an ideal site and that no adverse traffic impacts would result from the construction of elderly housing.

Robert Passmore, Acting Zoning Administrator, said that there was evidence that elderly housing generated less demand for parking and that the frequency of auto ownership among the elderly was lower than that of the general population.

Commissioner Bierman moved approval of ZM79.13 and disapproval of ZM 79.14 and ZM79.15. She said that the previous zoning had been a mistake and that it ought to be corrected. She said that an upzoning of 855 Lincoln Way would look like a spot zoning.

Commissioner Christensen said that he was sympathetic to the need for elderly housing.

Mr. Passmore said that the staff was not unsympathetic to elderly housing, but that there was concern about the site at 855 Lincoln Way, should elderly housing not be possible.

Commissioner Starbuck noted that it would be difficult to restrict units to elderly persons. There is no government exemption to permit avoidance of anti-discrimination laws, he said.

The motions for approval of ZM79.13, for disapproval of ZM79.14 and ZM79.15 were approved unanimously as City Planning Commission Resolution Nos. 8190, 8191 and 8192 respectively.

ZM79.16 - PROPOSAL TO RECLASSIFY PROPERTY FROM AN RH-1(HOUSE, ONE-FAMILY) DISTRICT TO AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT, THE PROPERTY AT TWIN PEAKS BOULEVARD AND VILLA TERRACE, EAST SIDE, THROUGH LOTS WITH FRONTAGE ALSO ON CLAYTON STREET, LOTS 2, 3, 4, 5, 6, 9, 10 AND 12 IN ASSESSOR'S BLOCK 2661.

Wayne Rieke indicated that this proposal had been initiated at the request of Mr. Charles O. Morgan.

President Rosenblatt asked if the applicant or anyone who wished to speak in favor of the proposal was present. There was no response.

The Commission agreed to waive the case report. Mr. Rieke said that the staff recommendation was for disapproval.

Commissioner Starbuck moved disapproval of the application for reclassification. The motion was seconded by Commissioner Nakashima and passed unanimously as City Planning Commission Resolution No. 8193.

At this time, President Rosenblatt indicated that there was a request to continue DR79.1 and R77.18 at 1981 Funston Avenue. Robert Passmore, Acting Zoning Administrator, said that the staff recommendation was for an indefinite continuance.

Commissioner Starbuck moved that the matter be continued indefinitely. The motion was seconded by Commissioner Christensen and passed unanimously.

President Rosenblatt indicated that there was also a request to continue DR78.82 and S78.2 at 1007 Taraval Street.

Mr. Passmore said that the recommendation was to continue the matters to April 19, 1979.

Commissioner Nakashima moved the staff recommendation. The motion was seconded by Commissioner Starbuck and passed unanimously.

DR78.79 - CONSIDERATION OF APPROVAL OF FINAL PLANS FOR PROPOSED NEIMAN-MARCUS SPECIALTY RETAIL STORE AT 133 TO 181 GEARY STREET, AT THE SOUTHEAST CORNER OF GEARY AND STOCKTON STREETS, LOT 14 AND 15 IN ASSESSOR'S BLOCK 313.

Rai Y. Okamoto, Director of Planning, summarized a memorandum from the Director of Planning to the City Planning Commission dated March 15, 1979. The Director said that in summary, while the basic design concept approved in Commission's Resolution 8150 remains significantly different from the existing City of Paris building or others in the Union Square area, the specific design modifications and changes, though primarily decorative in nature, do favorably respond to the architectural design conditions for approval and it is therefore recommended that the Commission accept the design as modified.

The following persons commented on the proposed final plans:

1. Mrs. G. B. Platt, President of the Landmarks Board, urged total re-design.
2. Linda Jo Fitz, representing the Foundation for San Francisco's Architectural Heritage, urged disapproval of the proposed final plans.
3. Bill Sugaya who said that the proposed plans did not meet the conditions of the Commission's previous resolution.
4. Bradford Paul, who read a letter from architects, Bruce Judd, James, Ream, John Haverford and John Schmiedel, who called for changes to the proposed final plans.
5. Hal Major, who opposed the proposed final plans.
6. John Johnston, who opposed the proposed final plans.
7. Gary Kray, who said that the final plans were not good enough.
8. Al Lopes, who asked that the City of Paris Building be saved.
9. Robert Atchison, who asked that the City of Paris Building be saved.

At the close of public testimony, Commissioner Nakashima moved approval of the Director's recommendation subject to three conditions:

1. That the small upper windows be removed.

2. That the Director be permitted to see a large scale mock-up of the proposed granite surface to ensure that a correct color is selected.
3. That the Director be permitted to make further refinements as he may think appropriate in the context of the resolution of approval.

The motion was seconded by Commissioner Mignola and passed by a vote of 4-2.
(Voting yes: Commissioners Christensen, Mignola, Nakashima, Rosenblatt;
Voting no: Commissioners Bierman, Starbuck)

NOTE: A certified court reporter was present. An official transcript was made and is available for reference purposes in the files of the Department of City Planning.

The meeting adjourned at 8:30 p.m.

Respectfully submitted,

Lee Woods
Secretary

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SAN FRANCISCO
CITY PLANNING COMMISSION
SUMMARY AND MINUTES
OF THE
REGULAR MEETING
HELD
THURSDAY, APRIL 12, 1979
ROOM 282, CITY HALL
1:00 P.M.

DOCUMENTS DEPT.

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The City Planning Commission met pursuant to notice on Thursday, April 12, 1979, at 1:00 p.m. in Room 282, City Hall.

PRESENT: Toby Rosenblatt, President; Ina F. Dearman, Vice-President; Susan J. Bierman, John Christensen, Joseph Mignola, Yoshio Nakashima and Charles Starbuck, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; Robert Passmore, Acting Zoning Administrator; Alec Bash, City Planning Coordinator; Barbara Sahm, Assistant Environmental Review Officer; Marie Zeller, Planner IIIa; Jim Miller, Planner II and Lee Woods, Secretary.

Gerald Adams represented the San Francisco Examiner. Marshal Kilduff represented the San Francisco Chronicle. Mike Mewhinney represented the San Francisco Progress.

Commissioner Mignola was late in arriving for the meeting.

CURRENT MATTERS

Director's Report

REPORT ON BUDGET PROPOSAL TO REDUCE FUNDS ESTABLISHED UNDER CHARTER SECTION 6.143 FOR OPEN SPACE ACQUISITION AND PARK RENOVATION BY 50% FOR FISCAL YEAR 1979-80, AND SUBMITTAL OF DRAFT RESOLUTION FOR ADOPTION BY THE CITY PLANNING COMMISSION REQUESTING THAT APPROPRIATE STEPS BE TAKEN TO PROVIDE 100% FUNDING OF SAID OPEN SPACE/RENOVATION PROGRAM.

Robert Passmore, Planner V (Zoning) and Acting Zoning Administrator, said that with respect to the Commissions request for a resolution affirming Commission support of Proposition J and the Open Space Program, the Commission had a draft resolution before it.

Commissioner Dearman moved approval of the draft resolution. The motion was seconded by Commissioner Nakashima and passed unanimously as City Planning Resolution No. 8207.

(Absent: Commissioner Mignola)

SUMMARY AND MINUTES OF THE REGULAR MEETING

APRIL 12, 1979

EE79.52 - PUBLIC HEARING ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR WASTE WATER SLUDGE MANAGEMENT PROJECT FOR THE BAY REGION AND THE CITY AND COUNTY OF SAN FRANCISCO.
PROPOSAL FOR A TWO-STAGE COMPOSTING AND LANDFILLING PROJECT FOR SAN FRANCISCO SEWAGE SLUDGE DISPOSAL. ALTERNATIVE SITES IN THE CITY OF BRISBANE AND IN THE CITY OF MOUNTAIN VIEW ARE PROPOSED FOR THE COMPOSTING OPERATION.
(CONTINUED FROM THE MEETING OF MARCH 8, 1979)

After brief remarks by Barbara Sahn, Assistant Environmental Review Officer, the hearing was opened for public testimony.

Larry Minnet urged the Commission to make no final decision until Environmental Protection Agency draft regulations related to standards for waste water sludge had been published.

Henry Hyde represented the Waste Water Sludge Management Study.

Ms. Sahn indicated that the staff recommendation was that the public hearing be closed.

Commissioner Bierman moved that the public hearing be closed. The motion was seconded by Commissioner Nakashima and passed unanimously.
(Absent: Commissioner Mignola)

A certified court reporter was present. An official transcript has been made and is available for reference purposes in the files of the Department of City Planning.

RS79.4 - 5-LOT SUBDIVISION AT SOUTHWEST CORNER OF TURK STREET AND MASONIC AVENUE, LOT 1 IN ASSESSOR'S BLOCK 1163.

Alec Bash, City Planning Coordinator, noted that the Commission had been given copies of a memorandum dated April 9, 1979. The memorandum, entitled "Condominium Conversion Subdivisions scheduled for Public Hearing on April 12, 1979", described the proposals which the Commission would consider. Mr. Bash indicated that, as a generalized recommendation, the Commission had before it a list of items for consideration as conditions for condominium conversion approval.

With respect to RS79.4, a case report was available and summarized by Mr. Bash. He noted that the matter before the Commission was the lot configuration for the subdivision. He said that there was a draft resolution before the Commission and that the staff recommendation was for approval with conditions.

Commissioner Bierman moved approval of the staff recommendation for approval with conditions. The motion was seconded by Commissioner Nakashima and passed unanimously as City Planning Commission Resolution No. 8208.
(Absent: Commissioners Christensen, Mignola)

SUMMARY AND MINUTES OF THE REGULAR MEETING

APRIL 12, 1979

RS79.8 - 12-LOT SUBDIVISION AT SOUTHWEST CORNER OF TURK STREET AND MASONIC AVENUE, LOT 1 IN ASSESSOR'S BLOCK 4104.

A case report was available. It was summarized by Alec Bash, City Planning Coordinator. Mr. Bash indicated that a draft resolution recommending approval with conditions was before the Commission.

President Rosenblatt asked if anyone wished to speak on the matter.

Dorothy Newton, a resident of the area, expressed concern about the possibility of earth slippage. Laura Stratton expressed concern about increased demand for parking. Rachel Spencer expressed concern about the retention of trees on the site.

At the conclusion of public testimony, Commissioner Nakashima moved approval of the staff recommendation. The motion was seconded by Commissioner Christensen and passed unanimously as City Planning Commission Resolution No. 8209.
(Absent: Commissioner Mignola)

With respect to items nos. 5 through 14, Mr. Bash noted that the applications were for new construction condominium subdivisions.

RS79.18 - 9-UNIT CONDOMINIUM SUBDIVISION AT 6998 GEARY BOULEVARD, NORTHEAST CORNER AT 34TH AVENUE, LOT 11 IN ASSESSOR'S BLOCK 1465.

The proposal was described by Alec Bash, City Planning Coordinator. Mr. Bash said that the staff recommendation was for approval with the conditions that there be an affirmative action sales program and that street trees be provided.

Commissioner Nakashima moved approval of the staff recommendation for approval. The motion was seconded by Commissioner Dearman and passed unanimously as City Planning Commission Resolution No. 8210.

RS79.21 - 6-UNIT CONDOMINIUM SUBDIVISION AT 1238 TAYLOR STREET, EAST SIDE BETWEEN WASHINGTON AND CLAY STREETS, LOT 18 IN ASSESSOR'S BLOCK 213.

The proposal was described by Alec Bash, City Planning Coordinator. Mr. Bash said that the staff recommendation was for approval with the condition that there be an affirmative action sales program.

Commissioner Dearman moved approval of the staff recommendation for approval with the condition. The motion was seconded by Commissioner Nakashima and passed unanimously as City Planning Commission Resolution No. 8211.

RS79.22 - 12-UNIT CONDOMINIUM SUBDIVISION AT 1635 BUSH STREET, SOUTH SIDE BETWEEN FRANKLIN AND GOUGH STREETS, A THROUGH LOT TO FERN STREET, LOTS 15 AND 16 IN ASSESSOR'S BLOCK 672.

SUMMARY AND MINUTES OF THE REGULAR MEETING

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The proposal was described by Alec Bash, City Planning Coordinator. Mr. Bash said that the staff recommendation was for approval with the condition that there be installed one (1) street tree and that there be an affirmative action sales program.

Commissioner Dearman moved approval of the staff recommendation for approval with conditions. The motion was seconded by Commissioner Nakashima and passed unanimously as City Planning Commission Resolution No. 8212.

RS79.25 - 20-UNIT CONDOMINIUM SUBDIVISION AT 380 MONTEREY BOULEVARD, NORTH SIDE BETWEEN CONGO AND DETROIT STREETS, LOT 56 IN ASSESSOR'S BLOCK 3091.

The proposal was described by Alec Bash, City Planning Coordinator. Mr. Bash said that the staff recommendation was for approval with the condition that there be an affirmative action sales program and the conditions which had been stipulated by the Bureau of Permit Appeals in a prior action.

At this time Commissioners Bierman, Dearman and Starbuck requested that the Commission permit them to abstain from any vote in this matter. The Commission agreed. President Rosenblatt indicated that there was a lawsuit pending. It involved those Commissioners and the applicants, he said, and the abstention is necessary to avoid any possible conflict of interest.

President Rosenblatt asked if anyone wished to testify.

Jessie Wahl, a resident of the area, said that he was opposed because the original proposal had been for rental housing. Now it is a condominium approval which is being sought.

Ken Hoyer and John Beatencourt represented the Sunnyside Neighborhood Association. Mr. Beatencourt said that his association wanted all landscaping retained and said that something should be done about mud slides and slope slippage.

James Johnson, representing the applicants, said a soil's report from a licensed soils engineer would be required before final map approval.

Responding to President Rosenblatt, the applicant, Mr. Occhipinti said that landscaping could be completed by June 15, 1979, if he was able to get his equipment on the site.

Mr. Bash said that as a condition of approval, the Commission could require a landscaping plan to be approved by the Department of City Planning and the Department of Public Works in consultation with representatives of the immediate neighborhood.

SUMMARY AND MINUTES OF THE REGULAR MEETING

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Commissioner Nakashima moved approval of the matter with the condition that there be an affirmative action sales program and that landscaping be installed and maintained according to a plan approved by the Department of City Planning and the Department of Public Works in consultation with neighborhood representatives. The motion was seconded by Commissioner Mignola and passed unanimously as City Planning Commission Resolution No. 8213.

(Abstained: Commissioners Bierman, Dearman, Starbuck)

RS79.26 - 6-RESIDENTIAL-UNIT AND 2-COMMERCIAL-UNIT CONDOMINIUM SUBDIVISION AT 4180 MISSION STREET, WEST SIDE BETWEEN ALEMANY BOULEVARD AND ADMIRAL AVENUE, LOTS 5 AND 6 IN ASSESSOR'S BLOCK 6804.

The proposal was described by Alec Bash, City Planning Coordinator. Mr. Bash said that the staff recommendation was for approval with the conditions that there be an affirmative action sales program and that the elderly tenant be given a lifetime lease.

Michael Burach represented the applicant. He said that a special relationship existed between the tenant and the applicant and that it was unfortunate that the lifetime lease had to be required.

Commissioner Bierman moved approval of the staff recommendation for approval with conditions. The motion was seconded by Commissioner Dearman.

Commissioner Starbuck said that the proposed sales prices were too high and that he could not vote for approval.

The motion passed by a vote of 6-1 as City Planning Commission Resolution No. 8214.

(Voting yes: Commissioners Bierman, Christensen, Dearman, Mignola, Nakashima, Rosenblatt; Voting no: Commissioner Starbuck)

RS79.28 - 15-UNIT CONDOMINIUM SUBDIVISION AT 2040 LAGUNA STREET, EAST SIDE BETWEEN CALIFORNIA AND SACRAMENTO STREETS, LOT 11 IN ASSESSOR'S BLOCK 639.

The proposal was described by Alec Bash, City Planning Coordinator. Mr. Bash said that the staff recommendation was for approval with the condition that there be an affirmative action sales program.

Commissioner Nakashima moved approval of the staff recommendation. The motion was seconded by Commissioner Dearman and passed unanimously as City Planning Commission Resolution No. 8215.

RS79.33 - 8-RESIDENTIAL-UNIT AND 1-COMMERCIAL-UNIT CONDOMINIUM AT 4401 MISSION STREET, SOUTH CORNER AT AVALON AVENUE, LOT 28 IN ASSESSOR'S BLOCK 6013.

SUMMARY AND MINUTES OF THE REGULAR MEETING

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The proposal was described by Alec Bash, City Planning Coordinator. Mr. Bash said that the staff recommendation was for approval with the condition that there be an affirmative action sales program.

Commissioner Nakashima moved the staff recommendation for approval with one condition. The motion was seconded by Commissioner Bierman and passed unanimously as City Planning Commission Resolution No. 8216.

RS79.34 - 9-UNIT CONDOMINIUM SUBDIVISION AT 275 BURNETT AVENUE, NORTH SIDE, SOUTHEAST OF RACCOON DRIVE, LOT 17 IN ASSESSOR'S BLOCK 2719B.

The proposal was described by Alec Bash, City Planning Coordinator. Mr. Bash said that the staff recommendation was for approval with the condition that there be an affirmative action sales program.

Commissioner Nakashima moved approval of the staff recommendation with the condition. The motion was seconded by Commissioner Mignola and passed unanimously as City Planning Commission Resolution No. 8217.

RS79.14 - JOINT PUBLIC HEARING WITH THE DEPARTMENT OF PUBLIC WORKS INVOLVING THE CONDOMINIUM SUBDIVISION OF 24 RESIDENTIAL UNITS AND 1 COMMERCIAL UNIT AT 1545 BROADWAY, SOUTH SIDE BETWEEN VAN NESS AND POLK STREET, LOTS 22, 24, 25 IN ASSESSOR'S BLOCK 574.

Mr. George Woo represented the Department of Public Works.

The proposal was described by Alec Bash, City Planning Coordinator. Mr. Bash said that the staff recommendation was for approval with the condition that there be an affirmative action sales program.

Commissioner Nakashima move approval of the staff recommendation for approval with the condition. The motion was seconded by Commissioner Bierman and passed unanimously as City Planning Commission Resolution No. 8218.

RS79.35 - JOINT PUBLIC HEARING WITH THE DEPARTMENT OF PUBLIC WORKS INVOLVING THE 35-UNIT CONDOMINIUM SUBDIVISION ON THE WEST SIDE OF GARDENSIDE DRIVE, SOUTHWEST OF BURNETT AVENUE (THE MIRA SOL), LOT 10 IN ASSESSOR'S BLOCK 2854.

Mr. George Woo represented the Department of Public Works.

The proposal was described by Alec Bash, City Planning Coordinator. Mr. Bash said that the staff recommendation was for approval with the condition that there be an affirmative action sales program.

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Commissioner Nakashima moved approval of the staff recommendation for approval with the condition. The motion was seconded by Commissioner Bierman and passed unanimously as City Planning Commission Resolution No. 8219.

RS79.13 - 6-UNIT COMMERCIAL CONDOMINIUM CONVERSION SUBDIVISION AT 1855 FOLSOM STREET, EAST SIDE BETWEEN 14TH AND 15TH STREETS, LOT 23 IN ASSESSOR'S BLOCK 3550.

The proposal was described by Alec Bash, City Planning Coordinator. Mr. Bash said that the staff recommendation was for approval with the condition that there be an affirmative action sales program.

Commissioner Nakashima moved approval of the staff recommendation for approval with the condition. The motion was seconded by Commissioner Dearman and passed unanimously as City Planning Commission Resolution 8220.

Before proceeding, Mr. Bash noted that the next set of applications were conversion applications. He said that these applications had been filed prior to the Board of Supervisor's moratorium.

Mr. Bash noted that recommendations to be made by the staff were based on the Ordinance material which was developed by the staff and endorsed by the Commission.

Commissioner Bierman said there was still an emergency situation and that she believed in a moratorium tied to a five (5) percent vacancy factor. Also she said that she favored the 80% tenant purchase provision where there was overwhelming interest in purchase.

President Rosenblatt asked if there were those who wished to comment on the general issue of condominium conversion.

Hilda Cloud, representing the Grey Panthers, said that she favored a moratorium based on a five (5) percent vacancy factor.

Jack Kaufman, of the California Legislative Council for Older Americans, said that there was no virtue in any consent proposal and that conversions would always represent a net reduction in the number of rental units. We need a vacancy survey, he said.

Ed Crocker, a resident of 409 House, said that the moratorium was needed.

Jean Morganstein said that ownership opportunities were needed.

Berry West said that many people were hurt as a result of the profit motive.

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President Rosenblatt said that he could not have supported a moratorium. Also, he said that he could not have supported the provision for 80% tenant consent. Each of these provisions is prohibitive, he said. He said that he would have been willing to support a provision for 66 2/3% tenant consent.

Commissioner Dearman said that only a select few could take advantage of the opportunities in condominium ownership. Any real estate ownership in this city, she said, is money making, and the five (5) percent vacancy moratorium is reasonable.

President Rosenblatt said that the point was that a "buy-in" provision would encourage a subdivider to negotiate attractive prices to tenants.

Cal Welsh, representing the San Francisco Housing Coalition, said that conversion was a disincentive to new construction and that in this situation there could never be a five (5) percent vacancy factor. He urged a moratorium based on a five (5) percent vacancy factor.

Peter Palmassino, representing the Pacific Union Company, said that the "Kopp proposals" were rational and that market rate rental housing could not be build in San Francisco.

RS79.17 - JOINT PUBLIC HEARING WITH THE DEPARTMENT OF PUBLIC WORKS
INVOLVING THE 57-UNIT CONDOMINIUM CONVERSION SUBDIVISION AT
1817 CALIFORNIA STREET, SOUTH SIDE BETWEEN FRANKLIN AND GOUGH
STREETS, A THROUGH LOT TO PINE STREET, LOT 18 IN ASSESSOR'S
BLOCK 648.

George Woo represented the Department of Public Works. Edward Wynne represented the applicant, the California Pine Development Company.

Commissioner Mignola indicated that the Chief Administrative Officer could possibly have an interest in the subject building. To avoid a possible conflict of interest, he asked the Commission that he be permitted to abstain from any vote. Commissioner Christensen moved that Commissioner Mignola be permitted to abstain. The motion was seconded by Commissioner Dearman and passed unanimously.

Mr. Woo, representing the Department of Public Works, said that twenty-eight (28) tenants had consented, in principle, to the conversion.

Mr. Bash said that the staff recommendation was for approval with conditions including a requirement for a moderate income sales price of \$46,125 for each of nine (9) one bedroom units.

Mr. Wynne said that the subdivider had a generous tenant assistance program but that the provision for eighty (80%) percent tenant consent and "buy-in" was unacceptable.

SUMMARY AND MINUTES OF THE REGULAR MEETING

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Gary Kent, a tenant of the building, said that the conversion would cause hardship to tenants. He urged disapproval.

Mr. Bash noted that the 80% "buy-in" provision was consistent with the Master Plan in terms of minimizing dislocation.

After some discussion, Mr. Wynne said that he could agree to a life-time lease to tenants in the moderate income units, not wishing to purchase but that 80% "buy-in" was unacceptable. We could agree to 66 2/3%, he said.

Commissioner Bierman said that a lot of work had gone into the development of the 80% provision and that it ought to be retained.

Commissioner Nakashima moved approval with conditions including a provision requiring 66 2/3% tenant "buy-in" consent and life-time leases for the tenants occupying the moderate income units. The motion was seconded by Commissioner Christensen.

Commissioner Bierman said that she would vote no. The Board of Supervisors thought that there was an emergency, she said, and it's needed as a rental building.

The matter failed by a vote of 3-3 as City Planning Commission Resolution No. 8221.

(Voting yes: Commissioners Christensen, Nakashima, Rosenblatt; Voting no: Commissioners Bierman, Dearman, Starbuck; Absent: Commissioner Mignola)

Note: In Accordance with the rules and regulations of the City Planning Commission, a tie vote on any matter before the Commission shall be deemed to be a disapproval thereof.

RS79.27 - JOINT PUBLIC HEARING WITH THE DEPARTMENT OF PUBLIC WORKS INVOLVING THE 25-UNIT CONDOMINIUM CONVERSION SUBDIVISION AT 1870 JACKSON STREET, NORTH SIDE BETWEEN FRANKLIN AND GOUGH STREETS, LOT 2 IN ASSESSOR'S BLOCK 593.

Alec Bash, City Planning Coordinator indicated that the staff recommendation was for a continuance to May 31, 1979.

Commissioner Nakashima moved the staff recommendation for continuance. The matter was seconded by Commissioner Dearman and passed unanimously.

RS79.1 - 8-UNIT CONDOMINIUM CONVERSION SUBDIVISION AT 2323 LAGUNA STREET, NORTHWEST CORNER AT WASHINGTON STREET, LOT 3A IN ASSESSOR'S BLOCK 603.

Alec Bash, City Planning Coordinator indicated that the staff recommendation was for continuance to May 31, 1979.

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Commissioner Nakashima moved the staff recommendation for continuance. The motion was seconded by Commissioner Mignola and passed unanimously.

RS79.3 - 12-UNIT CONDOMINIUM CONVERSION SUBDIVISION AT 2950 CLAY STREET, NORTH SIDE BETWEEN DIVISADERO AND BRODERICK STREETS, LOT 33 IN ASSESSOR'S BLOCK 1001.

Alec Bash, City Planning Coordinator, said that there was no tenant opposition.

I have, he said, seven (7) letters from tenants who support the proposal. The staff recommendation, Mr. Bash said, is for approval with conditions.

Edward Wynne, representing the applicant, said that he could not agree to the 80% tenant "buy-in" provision.

Commissioner Nakashima moved approval of the staff recommendation for approval with standard conditions including the 80% "buy-in" provision.

The motion was seconded by Commissioner Christensen and passed by a vote of 4-3 as City Planning Commission Resolution No. 8222.

(Voting yes: Commissioners Christensen, Mignola, Nakashima, Rosenblatt;
Voting no: Commissioners Bierman, Dearman, Starbuck)

RS79.5 - 6-UNIT CONDOMINIUM CONVERSION SUBDIVISION AT 1940 SACRAMENTO STREET, NORTH SIDE BETWEEN FRANKLIN AND GOUGH STREETS, LOT 4 IN ASSESSOR'S BLOCK 624.

Alec Bash, City Planning Coordinator, said that the staff believed that there were unusual circumstances related to the rental history of some units. The staff recommendation is for approval with conditions, he said.

John Breffelh, the applicant, said that, on paper, he had 80% tenant commitment to purchase, but that he'd prefer a required 66 2/3%. He said that \$60,000 had been spent for renovation and that the units were under valued.

Commissioner Mignola moved the staff recommendation for approval with conditions but amended the standard recommendation to require 66 2/3% tenant "buy-in" consent. The motion was seconded by Commissioner Christensen and passed by a vote of 4-3 as City Planning Commission Resolution No. 8223.

(Voting yes: Commissioners Christensen, Mignola, Nakashima, Rosenblatt;
Voting no: Commissioners Bierman, Dearman, Starbuck)

RS79.7 - 6-UNIT CONDOMINIUM CONVERSION SUBDIVISION AT 1927 DIAMOND STREET, EAST SIDE BETWEEN DIAMOND HEIGHTS BOULEVARD AND BEACON STREET, LOT 15 IN ASSESSOR'S BLOCK 7539.

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Alec Bash, City Planning Coordinator, said that there was over concentration of conversions in the subject area and that the staff recommendation was for disapproval. In addition to concentration, he said that there was the issue of removal of the low and moderate income stock and the possibility of a deliberate attempt to increase vacancies.

Laurie Cahill, a resident of the building, said that she wanted to purchase a unit.

Commissioner Dearman moved disapproval. The motion was seconded by Commissioner Bierman and passed unanimously as City Planning Commission Resolution No. 8224.

At this time, Commissioner Dearman left the meeting.

RS79.9 - 5-UNIT CONDOMINIUM CONVERSION SUBDIVISION AT 19-27 GRAYSTONE TERRACE, EAST SIDE BETWEEN TWIN PEAKS BOULEVARD AND PEMBERTON PLACE, LOT 44 IN ASSESSOR'S BLOCK 2661.

Alec Bash, City Planning Coordinator, said that the staff recommendation was for approval with the standard conditions proposed by the staff.

Commissioner Bierman said that the proposed sales prices were appalling.

President Rosenblatt said that the subdivider would be forced to do some very hard negotiating to secure the necessary approval.

Commissioner Nakashima moved approval with standard conditions. The motion was seconded by Commissioner Mignola and passed by a vote of 4-2 as City Planning Commission Resolution No. 8225.

(Voting yes: Commissioners Christensen, Mignola, Nakashima, Rosenblatt;

Voting no: Commissioners Bierman, Starbuck; Absent: Commissioner Dearman)

RS79.11 - 15-UNIT CONDOMINIUM CONVERSION SUBDIVISION AT 2080 GOUGH STREET, SOUTHEAST CORNER AT WASHINGTON STREET, LOT 13 IN ASSESSOR'S BLOCK 617.

Alec Bash, City Planning Coordinator, said that the staff recommendation was for approval with conditions.

Michael Berg, representing the applicant, said that he was opposed to the 80% tenant "buy-in" provision and the life-time leases for the elderly. There are three elderly tenants there, he said.

Mr. and Mrs. Joseph Fenton, eleven year tenants of the building said that their costs would triple if they were to remain after conversion.

SUMMARY AND MINUTES OF THE REGULAR MEETING

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Responding to President Rosenblatt, Mr. Berg said that the proposed sales prices dictated against life-time leases for the elderly.

Commissioner Starbuck moved disapproval. The motion was seconded by Commissioner Mignola and passed unanimously as City Planning Commission Resolution No. 8226.

(Absent: Commissioner Dearman)

RS79.12 - 9-UNIT CONDOMINIUM CONVERSION SUBDIVISION AT 1200 FRANCISCO STREET, NORTHWEST CORNER AT VAN NESS AVENUE, LOT 5 IN ASSESSOR'S BLOCK 474.

Alec Bash, City Planning Coordinator, said that the major issue was the possible violation of Section 1385(c) of the Subdivision Codes which says that an application is not to be approved if there is evidence of a deliberate effort to increase vacancies for conversion. Until the most recent purchase, there were few vacancies, he said.

Mr. Bash said that there was no evidence of permits for renovation and that there was a question if renovation completed was substantial enough to justify eviction. The elderly, he said, were evicted callously, with only thirty (30) days notice.

Tim Johnson, representing the applicants, said that three (3) tenants were evicted to provide units for the owners. Mr. Johnson said that the scope of needed renovation was great but that no major structural work had been done because the owners had run into financial difficulties.

Commissioner Christensen said that it seemed irrational to effect evictions when there were cash-flow problems.

Barry West, a former tenant of the building, said that under the new ownership, rent had increased dramatically.

Anna Nicholas, a concerned resident of the area, urged the Commission to deny the application. She said that the building had not suffered deferred maintenance and that no major renovation had taken place.

Joe Schots, a resident of the area, said that he was opposed.

Monica Heath, the applicant, said that she had bills to prove that renovations had been done and that their intent in purchasing the building was not condominium conversion.

Mr. Bash said that from the testimony one could draw the conclusion that there was a relationship between the vacancies and conversion and that the staff recommendation was for disapproval.

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The staff recommendation for disapproval was moved by Commissioner Starbuck. The motion was seconded by Commissioner Christensen and passed unanimously as City Planning Commission Resolution No. 8227.

(Absent: Commissioner Dearman)

RS79.15 - 6-UNIT CONDOMINIUM CONVERSION AT 2676-2686 UNION STREET,
NORTHEAST CORNER AT BRODERICK STREET, LOT 31 IN ASSESSOR'S
BLOCK 946.

Alec Bash, City Planning Coordinator, indicated that there were vacancies but there were permits indicating major renovation.

William Wheeler, the applicant, said that the building was both an investment and a place to live. We spent, he said, fifty (50) percent of the purchase price on renovation.

Mr. Bash said that the vacancies resulted from the need for renovation which did take place. He said that the staff recommendation was for approval with standard conditions.

Commissioner Nakashima moved the staff recommendation for approval with conditions. The motion was seconded by Commissioner Mignola and passed by a vote of 4-2 as City Planning Commission Resolution No. 8228.

(Voting yes: Commissioners Christensen, Mignola, Nakashima, Rosenblatt;
Voting no: Commissioners Bierman, Starbuck; Absent: Commissioner Dearman)

RS79.19 - 9-UNIT CONDOMINIUM CONVERSION SUBDIVISION AT 695 GRAND VIEW
AVENUE, NORTHEAST CORNER AT 25TH STREET, LOT 23 IN ASSESSOR'S
BLOCK 6501.

Alec Bash, City Planning Coordinator, said that there was correspondence in support of the application and that the staff recommendation was for approval with standard conditions.

Representing the applicant, Edward Wynne said that the one elderly tenant would be offered a life-time lease and that there was one vacancy. For these reasons, he requested that the tenant "buy-in" provision be set at 66 2/3%.

Commissioner Nakashima moved approval of the staff recommendation for approval with standard conditions including a tenant "buy-in" requirement of 66 2/3%. The motion was seconded by Commissioner Mignola and passed by a vote of 4-2 as City Planning Commission Resolution No. 8229.

(Voting yes: Commissioners Christensen, Mignola, Nakashima, Rosenblatt;
Voting no: Commissioners Bierman, Starbuck; Absent: Commissioner Dearman)

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APRIL 12, 1979

RS79.20 - 6-UNIT CONDOMINIUM CONVERSION SUBDIVISION AT 2875 JACKSON STREET, SOUTH SIDE BETWEEN DIVISADERO AND BRODERICK STREETS, LOT 22 IN ASSESSOR'S BLOCK 980.

Alec Bash, City Planning Coordinator, said that the staff recommendation was for approval subject to the standard conditions of the day.

Timothy Tosta, representing the applicant, said that he would urge acceptance by his client.

Eric Saler, a resident of the building said that there was less than 66 2/3% tenant support in the building. Also, he said that he believed that his unit was a two-bedroom unit and that low and moderate income provisions would apply.

Mr. Bash said that a unit was defined in terms of its use and not how it was called.

Mr. Tosta said that the room in question was a sun-room and not a bedroom.

Mr. Bash said that he could not make a recommendation with regard to low and moderate income units in this instance until an inspection could be made.

Commissioner Mignola moved that the matter be continued to April 19, 1979, to permit time for an inspection. The motion was seconded by Commissioner Nakashima and passed unanimously.

RS79.23 - 5-UNIT CONDOMINIUM CONVERSION SUBDIVISION AT 1307 BAY STREET, SOUTHWEST CORNER AT 3299 GOUGH STREET, LOT 40 IN ASSESSOR'S BLOCK 472.

Alec Bash, City Planning Coordinator said that the staff recommendation was for approval with standard conditions.

James Johnson, representing the applicant, said that the units were sizable and had views. Because of the small and "odd" number of units, he requested the 66 2/3% "buy-in" provision.

Commissioner Bierman said that she had a problem with the proposed sale prices.

Commissioner Nakashima moved approval of the staff recommendation including a condition for a required 66 2/3% tenant "buy-in". The motion was seconded by Commissioner Mignola and passed by a vote of 4-2 as City Planning Commission Resolution No. 8230.

(Voting yes: Commissioners Christensen, Mignola, Nakashima, Rosenblatt;

Voting no: Commissioners Bierman, Starbuck; Absent: Commissioner Dearman)

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RS79.24 - 24-UNIT CONDOMINIUM CONVERSION SUBDIVISION AT 1220 LA PLAYA, EAST SIDE BETWEEN LINCOLN WAY AND IRVING STREET, LOT 38 IN ASSESSOR'S BLOCK 1702.

Alec Bash, City Planning Coordinator, said that the staff recommendation was for approval with conditions including moderate income sales prices as in exhibit A of the staff report.

Andrew Heath, of the District No. 11 Residents Association, said that he opposed conversions until a 5% vacancy rate was reached.

James Johnson, representing the applicant, said that the applicant would agree to a condition of sale requiring that existing leases be honored.

Commissioner Christensen moved approval of the staff recommendation including a requirement for 80% tenant "buy-in", life-time leases for the elderly and moderate income sales prices. The motion was seconded by Commissioner Nakashima and passed unanimously as City Planning Commission Resolution No. 8231.

RS79.29 - 7-UNIT CONDOMINIUM CONVERSION SUBDIVISION AT 1140 CHESTNUT STREET, NORTH SIDE BETWEEN LARKIN AND POLK STREETS, LOT 28 IN ASSESSOR'S BLOCK 477.

Alec Bash, City Planning Coordinator, said that the staff recommendation was for approval with conditions including moderate income sales prices for those units determined to be a part of the moderate income housing stock.

Larry Koncz, representing the applicant, said that the units were not moderate income. Rents have not been raised in 1976 and 1977 and the units are undervalued, he said.

Mr. Bash recommended that the matter be continued one week for study.

Commissioner Mignola moved the staff recommendation for continuance. The motion was seconded by Commissioner Nakashima and passed unanimously.

RS79.30 - 14-UNIT CONDOMINIUM CONVERSION SUBDIVISION AT 3100 WASHINGTON STREET AND 2101 BAKER STREET, NORTHWEST CORNER, LOT 4 IN ASSESSOR'S BLOCK 982.

Mr. Bash indicated that there existed a situation similar to the previous case. He recommended a one week continuance.

Commissioner Mignola moved the staff recommendation. The motion was seconded by Commissioner Christensen and passed unanimously.

SUMMARY AND MINUTES OF THE REGULAR MEETING

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RS79.31 - 5-UNIT CONDOMINIUM CONVERSION SUBDIVISION INVOLVING 2 BUILDINGS AT 856-60 GREEN STREET, NORTH SIDE BETWEEN MASON AND TAYLOR STREETS, LOT 18 IN ASSESSOR'S BLOCK 119.

Alec Bash, City Planning Coordinator indicated that there were vacancies but no indication that there was intent to create vacancies for the sake of conversion.

Ruben Glickman, the applicant, urged the Commission to delete the tenant "buy-in" provision since one of the two occupied units was occupied by his partner and the other unit was occupied by a tenant sub-leasing from Mr. Glickman.

Mr. Bash said that the staff recommendation was for approval with conditions not including the condition for a percentage tenant "buy-in".

Commissioner Nakashima moved the staff recommendation. The motion was seconded by Commissioner Mignola and passed by a vote of 4-2 as City Planning Commission Resolution No. 8232.

(Voting yes: Commissioners Christensen, Mignola, Nakashima, Rosenblatt;
Voting no: Commissioners Bierman, Starbuck; Absent: Commissioner Dearman)

RS79.32 - 7-UNIT CONDOMINIUM CONVERSION SUBDIVISION AT 1865 CALIFORNIA STREET, SOUTH SIDE BETWEEN FRANKLIN AND GOUGH STREETS, LOT 15 IN ASSESSOR'S BLOCK 648.

Alec Bash, City Planning Coordinator, said that the staff recommendation was for approval with the standard conditions of the day.

Commissioner Mignola moved approval of the staff recommendation including a condition requiring 66 2/3% tenant "buy-in". The motion was seconded by Commissioner Christensen and passed by a vote of 4-2 as City Planning Commission Resolution No. 8233.

(Voting yes: Commissioners Christensen, Mignola, Nakashima, Rosenblatt;
Voting no: Commissioners Bierman, Starbuck; Absent: Commissioner Dearman)

RS79.37 - 12-UNIT CONDOMINIUM CONVERSION SUBDIVISION AT 2801 JACKSON STREET, SOUTHWEST CORNER AT DIVISADERO STREET, LOT 1 IN ASSESSOR'S BLOCK 648.

Alec Bash, City Planning Coordinator said that the staff recommendation was for approval with standard conditions.

Larry Kuncz, representing the applicant, said that a requirement, putting a subdivider in the position of having to discuss sales prices with a tenant, was a violation of state law.

SUMMARY AND MINUTES OF THE REGULAR MEETING

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Fred Abbot, a tenant of the building, expressed interest in purchasing a unit.

Commissioner Nakashima moved approval of the staff recommendation for approval with conditions including a provision for 80% tenant "buy-in" and consent. The motion was seconded by Commissioner Mignola and passed by a vote of 4-2 as City Planning Commission Resolution No. 8234.

(Voting yes: Commissioners Christensen, Mignola, Nakashima, Rosenblatt;
Voting no: Commissioners Bierman, Starbuck; Absent: Commissioner Dearman)

The meeting adjourned at 11:00 p.m.

Respectfully submitted,

Lee Woods
Secretary

SS
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26/79

SAN FRANCISCO
CITY PLANNING COMMISSION
SUMMARY AND MINUTES
OF THE

REGULAR MEETING
HELD
THURSDAY, APRIL 26, 1979
ROOM 282, CITY HALL
1:00 P.M.

DOCUMENTS DEPT.

JUN 10 1979

SAN FRANCISCO
PUBLIC LIBRARY

The City Planning Commission met pursuant to notice on Thursday, April 26, 1979, at 1:00 p.m. in Room 282, City Hall.

PRESENT: Toby Rosenblatt, President; Susan J. Bierman, John Christensen, Joseph Mignola, Yoshio Nakashima and Charles Starbuck, members of the City Planning Commission.

ABSENT: Commissioner Ina F. Dearman

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; Robert Passmore, Acting Zoning Administrator; Richard Gamble, Planner IV; Barbara Sahn, Assistant Environmental Review Officer; Robert Feldman, Planner III; Marie Zeller, Planner IIIa; Sandra Malanla, Planner II; Robin Jones, Planner II; Mary Anne Miller, Planner II; Gerald Owyang, Staff Assistant III and Lee Woods, Secretary.

Gerald Adams represented the San Francisco Examiner.

APPROVAL OF MINUTES

Minutes of the Regular Meeting of March 15, 1979, were unanimously approved.

Commissioner Mignola was late in arriving for the meeting.

CURRENT MATTERS

Director's Report

Rai Y. Okamoto, Director of Planning, indicated that there were two members of the Coastal Commission present. It will not be possible for them to attend the hearing this afternoon, he said. They would like to address you now.

Ellen Jeunct, a member of the Coastal Commission described briefly the process by which San Francisco would implement the Coastal Act of 1976.

Jim Rivaldo, a member of the Coastal Commission, said that the "Issues Identification" paper, developed by the staff of the Department of City Planning, was very thorough.

SUMMARY AND MINUTES OF THE REGULAR MEETING APRIL 26, 1979

With respect to the paper entitled "Issues Identification" and dated April 1979, Commissioner Bierman said that she was troubled by language related to Issue No. 5, the Playland Site. The issue as it is phrased, she said, could be interpreted to mean that housing vs. open space was at issue in the Residential Zoning Study.

At this time, further discussion of the Local Coastal Plan was deferred to the time for which it was calendared.

The Director indicated that before the Commission there were two draft resolutions. One resolution relates to DR79.5 (Upper Terrace Near Monument Way) and the other to DR79.4 (1945 Union Street). The matters, he said, you disapproved last week. Before you now and requiring a simple motion is formal language to be included in resolutions of disapproval, he said.

Commissioner Bierman moved approval of the draft language. The motion was seconded by Commissioner Starbuck and passed unanimously.

(Absent: Commissioners Dearman, Mignola)

Commissioners' Questions and Matters

CONSIDERATION OF SB 1098, BILL PENDING IN LEGISLATURE CONCERNING AMENDMENTS TO POLITICAL REFORM ACT OF 1974 WHICH WOULD EFFECT CITY PLANNING COMMISSION MEMBERS AND OTHERS; STATEMENTS OF ECONOMIC INTERESTS PRESENTLY FILED WITH THE DEPARTMENT WOULD INSTEAD BE FILED WITH THE FAIR POLITICAL PRACTICES COMMISSION IN SACRAMENTO, AND OTHER CHANGES.

After a brief explanation of the proposed legislation, President Rosenblatt suggested that Robert Feldman, Planner III, send a letter to State Senators Milton Marks and John Foran and State Representative Edward Gerber suggesting that the proposed legislation exempt jurisdictions already possessing a filing process or that it provide that local procedures would be adequate in terms of Fair Political Practices Commission reporting requirements.

Commissioner Christensen moved President Rosenblatt's suggestion. The motion was seconded by Commissioner Nakashima and passed unanimously.

(Absent: Commissioners Dearman, Mignola)

Commissioner Starbuck asked the staff to keep the Commission up to date on the status of the Open Space Program budget.

Commissioner Starbuck reported that the Commission had been named in a law-suit related to a permit for the I-Beam Cabaret on Haight Street.

The Director indicated that Robert Passmore, Acting Zoning Administrator, recommended that the permit be released and that a letter, indicating Commission concern, be sent to the Police Department. The Commission agreed that the permit should be released and that Commissioners should be provided with a copy of the letter.

With respect to Master Plan policies related to branch banks in the Central Business District, Commissioner Starbuck asked that these policies be considered in the context of Conditional Use and the proposed Pacific Gateway Project.

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EE79.45 - APPEAL OF NEGATIVE DECLARATION FOR CONSTRUCTION OF THE WHARF PARK I AND II NEAR KEARNY STREET AND FRANCISCO BOULEVARD, LOT 1A IN ASSESSOR'S BLOCK 38 AND LOT 16 IN ASSESSOR'S BLOCK 55. PROJECT CONSISTS OF 3 BUILDINGS, 248 UNITS FOR ELDERLY/HANDICAPPED/FAMILY HOUSING; INVOLVING REHABILITATION AND CONVERSION OF EXISTING 4-STORY WAREHOUSE TO 116 UNITS, NEW CONSTRUCTION OF 4-STORY 36-UNIT-OVER-GARAGE AND COMMERCIAL AREA BUILDING AND NEW CONSTRUCTION OF 7-STORY 96-UNIT BUILDING.

The preliminary Negative Declaration was reviewed by Sandra Malandra, Planner II. Ms. Malandra said that the appeal was based on an assertion that there had been inadequate analysis of the cumulative impacts of new residential and commercial development in the area.

Anne Halsted, President of the Telegraph Hill Dwellers, the appellants, said that parking was a serious problem and that analysis of local impacts was needed.

Nancy Katz, an area resident, stressed the need for analysis of impacts including traffic and parking.

Dianne Hunter, an area resident, said that an analysis of parking and traffic impacts was needed.

Alfred Broslever, an area resident, said that an EIR was needed to mitigate negative impacts.

Randal Nathan, Marshall Roth, Nan Roth, Henrietta Matta and Ken Matley, residents of the area, stressed the seriousness of parking and traffic problems. They asked that an EIR be required.

Tom Callahan, a project sponsor, described the proposed development. He said that there was ample evidence that projects for the elderly generated less traffic. The project, he said, will provide adequate parking.

Jennie Lew, representing the Chinese Community Housing Corporation, said that the matter had to be put in perspective. The number one need, she said, is housing, not parking.

Ms. Malandra indicated that a draft resolution denying the appeal was before the Commission.

Commissioner Bierman moved approval of the draft resolution. The motion was seconded by Commissioner Nakashima and passed unanimously as City Planning Commission Resolution No. 8240.

(Absent: Commissioners Dearman, Mignola)

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Commissioner Starbuck said that there was a need to require the developer to work with the Muni in providing access in terms of public transit to the development. Commissioner Bierman said that the developer should meet with the neighborhood.

EE78.207 - PUBLIC HEARING ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE FEDERAL RESERVE BANK OF SAN FRANCISCO, AREA GENERALLY BOUNDED BY MARKET, MAIN, MISSION AND SPEAR STREETS, PORTIONS OF ASSESSOR'S BLOCK 3712.
PROPOSAL TO CONSTRUCT 12-STORY STRUCTURE FOR BANK HEADQUARTERS, LEASED OFFICE SPACE INCLUDING PEDESTRIAN ARCADE AND MONEY MUSEUM.

The Commission agreed that before beginning the public hearing, it would consider items no. 4 and 5.

Richard Gamble, Planner IV, indicated that, with respect to the proposed Amendments to the Recreation and Open Space Element of the Master Plan, a formal resolution would be required. Pursuant to the Commission's actions at the joint hearing with the Recreation and Park Commission on March 20th, 1979, Mr. Gamble said that a simple motion would be required to reaffirm the Commission's intent that the three sites be included in the General Manager's Report.

Commissioner Nakashima moved approval of the draft resolution to adopt the proposed amendments to the Master Plan. The motion was seconded by Commissioner Bierman and passed unanimously as City Planning Commission Resolution No. 8241.
(Absent: Commissioners Dearman, Mignola)

Commissioner Bierman moved that the Commission reaffirm its intent that the subject sites be included in the program contained in the General Manager's Report. The motion was seconded by Commissioner Nakashima and passed unanimously.
(Absent: Commissioners Dearman, Mignola)

After their action, the Commission returned to the public hearing for the proposed Federal Reserve Bank of San Francisco (EE78.207).

At approximately 2:45 p.m., Commissioner Mignola arrived for the meeting.

President Rosenblatt indicated that a court reporter was present and asked each speaker, in making his presentation, to consider this fact.

Sandra Malandra, Planner II, reviewed the context of the draft EIR and the proposal.

With no preliminary remarks from the Commission, the first person to testify was Sue Hestor who represented San Francisco Tomorrow (SFT). Ms. Hestor said that the EIR did not treat adequately the growth inducing aspects of the proposal. Also, she said that the impact on the residential housing stock had not been treated adequately.

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Commissioner Bierman said that she hoped that SFT understood the trade-off between height and bulk limitations.

David Jones, representing San Franciscians for Reasonable Growth, said that the EIR did not adequately analyze the impact of highrise development on the demand for and cost of housing.

Fred Fuller, representing San Francisco Neighborhood Legal Assistance, said that the EIR did not make reference to the fact that a Federal Agency sponsoring development, could be required to provide replacement housing if there was inadequate housing for displaced tenants needing relocation housing.

Mrs. G. Bland Platt, President of the Landmarks Preservation Advisory Board, made a number of very specific comments on the draft EIR.

At the close of public testimony, President Rosenblatt indicated that it would be appropriate for Commissioners to comment. After brief comments by Commissioners, Commissioner Nakashima moved that the public hearing be closed. The motion was seconded by Commissioner Bierman and passed unanimously.

(Absent: Commissioner Dearman)

Barbara Sahm, Assistant Environmental Review Officer indicated that written comments would be accepted through May 2nd.

A certified court reporter was present. An official transcript has been made and is available for reference purposes in the files of the Department of City Planning.

EE78.225 - PUBLIC HEARING ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE CHILDREN'S HOSPITAL OF SAN FRANCISCO, 3700 CALIFORNIA STREET, LOT 21 IN ASSESSOR'S BLOCK 1606.
PROPOSAL TO REMODEL EXISTING BUILDINGS, DEMOLISH OLD BUILDINGS AND RECONSTRUCT NEW BUILDINGS INCLUDING A 45-SPACE PARKING GARAGE TO BRING THE HOSPITAL INTO CONFORMITY WITH CURRENT SEISMIC SAFETY STANDARDS AND WITH STATE DEPARTMENT OF HEALTH LICENSING REQUIREMENTS.

Gerald Owyang, Staff Assistant III, reviewed the proposal and the content of the draft EIR.

President Rosenblatt indicated that it was necessary that he leave the meeting at 4:20 p.m. He asked that he be permitted to comment before leaving.

After making a number of very specific comments about the text of the draft EIR, President Rosenblatt indicated Children's Hospital had prepared and made available a "Data Supplement". It would be useful, he said, for Commissioners to review this document.

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At approximately 4:20 p.m., President Rosenblatt left the meeting.

The following persons commented on the draft EIR:

1. Sue Hestor, who said that the EIR should more thoroughly treat the impacts on the residential neighborhoods.
2. Paul Gray, representing the Jordan Park Improvement Association, who said that his association was pleased and that it had worked well with the Hospital.
3. Mervyn Silverberg, representing the Sacramento Street Improvement Association, who said the association was pleased with the plan.

Commissioner Mignola asked if Environmental Review staff would explore ways to include the Supplemental Data, provided by the Hospital, in the EIR.

After brief comments by Commissioners, Commissioner Christensen moved that the public hearing be closed. The motion was seconded by Commissioner Mignola and passed unanimously.

(Absent: Commissioner Dearman)

STAFF PRESENTATION OF THE UNION STREET STUDY AND CONSIDERATION OF A RESOLUTION OF INTENTION TO INITIATE A UNION STREET SPECIAL USE DISTRICT.

Robin Jones, Planner II and Project Director for the Union Street Study, discussed the history of the evolution of Union Street.

Mary Anne Miller, Planner II, using a slide presentation, described the nature of uses to be found on Union Street.

Ms. Jones discussed the findings of the Union Street Study (the complete Study: Union Street, A Study by the Department of City Planning is available at the Office of the Department of City Planning).

Ms. Jones said that the basic recommendation of the staff was for the creation of a Union Street Special Use District. She then discussed, in summary fashion, provisions which would apply to specific uses in the special use district.

Ms. Miller reviewed proposed guidelines which the City Planning Commission would use pursuant to Section 303 of the City Planning Code in its review and consideration of requests for Conditional Use Authorization in the special use district. (Copies of the proposed provisions for specific uses in the Union Street Special Use District and the proposed guidelines for all new or expanded uses in the Union Street Special Use District, are available at the Office of the Department of City Planning.)

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Ms. Miller reviewed a memorandum, dated April 26, 1979. The memorandum, from the Director of Planning to the City Planning Commission, discussed "Alternatives for Control of Commercial Activity on Union Street". (A copy of this memorandum is available at the Office of the Department of City Planning.

At approximately 5:55 p.m. Commissioner Mignola left the meeting.

Rai Okamoto, Director of Planning, indicated his intent to recommend approval of a resolution of intent to initiate a Special Use District for Union Street.

Commissioner Starbuck extended the Commission's thanks to the staff for a remarkable effort.

Ed O'Herron, representing the Union Street Association, commended the staff and urged Commission approval of the resolution of intent to initiate a Special Use District.

Mervyn Silverberg, representing the Sacramento Street Improvement Association, said that the Association wanted no bars on Sacramento Street and only so many restaurants.

Bill Wilson, representing the Council of District Merchants, commended the staff and called for a City-wide, Comprehensive Commercial Zoning Study.

Harriet Witt, a Filbert Street resident, commended the staff. With respect to the guidelines, she said that a regionally oriented use was not necessarily bad.

Shirley Jacobs, a Union Street resident, thanked the staff.

Commissioner Bierman moved approval of the draft resolution of intent to initiate a Union Street Special Use District. The motion was seconded by Commissioner Christensen and passed unanimously as City Planning Commission Resolution No. 8142.

(Absent: Commissioners Dearman, Mignola, Rosenblatt)

PUBLIC HEARING ON ISSUES IDENTIFICATION FOR THE SAN FRANCISCO LOCAL COASTAL PLAN, PURSUANT TO THE COASTAL ACT OF 1976.

Marie Zeller, Planner III, indicated that the Commission had before it a draft resolution authorizing the Director of Planning to seek funds, in an amount not to exceed \$45,000, to prepare a Local Coastal Program pursuant to the Coastal Act of 1976.

With respect to the earlier discussion of the "Issues Identification" paper and the Playland Site, the Commission agreed that the paper should be revised with language suggested by Commissioner Bierman.

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Commissioner Bierman moved approval of the draft resolution. The motion was seconded by Commissioner Nakashima and passed unanimously as City Planning Commission Resolution No. 8243.

(Absent: Commissioners Dearman, Mignola, Rosenblatt)

The meeting was adjourned at 6:30 p.m.

Respectfully submitted,

Lee Woods
Secretary

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5/3/79

SAN FRANCISCO
CITY PLANNING COMMISSION
SUMMARY AND MINUTES
OF THE
REGULAR MEETING
HELD
THURSDAY, MAY 3, 1979
ROOM 282, CITY HALL
11:30 A.M.

DOCUMENTS DEPT.

JUL 9 1979

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The City Planning Commission met pursuant to notice on Thursday, May 3, 1979, at 11:30 a.m. in Room 282, City Hall

PRESENT: Toby Rosenblatt, President; Ina F. Dearman, Vice-President; Susan J. Bierman, John Christensen, Joseph Mignola, Yoshio Nakashima, Charles Starbuck, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; Robert Passmore, Acting Zoning Administrator; George Williams, Assistant Director of Planning (Plans and Programs); Wayne Rieke, Planner IV; Selina Bendix, Environmental Review Officer; Alec Bash, City Planning Coordinator; Charles Gill, City Planning Coordinator; Glenda Skiffer, Planner II; Jeremy Kotas, Planner II; Jim Miller, Planner II; Ed Ezra, Planner I and Lee Woods, Secretary.

Gerald Adams represented the San Francisco Examiner.

APPROVAL OF MINUTES

Minutes of the Regular Meeting of April 26, 1979, were unanimously approved.

11:30 A.M. - Field Trip

Members of the Commission and staff departed from 100 Larkin Street at 11:30 a.m. to visit sites of May zoning cases.

Commissioners Christensen and Mignola were late in arriving for the meeting.

1:00 P.M. - Current Matters

DIRECTOR'S REPORT

George Williams, Assistant Director of Planning (Plans and Programs), reported that the Department was developing a housing related proposal for an innovative grant from the Department of Housing and Urban Development.

May 3, 1979

Robert Passmore, Acting Zoning Administrator, reported that, pursuant to Conditional Use approval in 1971, a building permit application was pending for a gymnasium which is proposed to be a part of the Recreation Center for the Handicapped. With respect to the intent of the Conditional Use, there is some concern about the relocation of the proposed gymnasium and the adequacy of the screening at the proposed site, he said.

Mr. George Hanna and Mr. George Dolan represented the Recreation Center for the Handicapped. Mr. Dolan said that the proposed gymnasium would encroach, slightly, into the view from Skyline Boulevard. The proposed site is fairly well screened by Eucalyptus trees, he said, and Monterey pines have been introduced successfully. Mr. Dolan asked the Commission to allow the Center, under the original Conditional Use, to proceed.

Rai Y. Okamoto, Director of Planning, said that the only issue was effective screening. I believe, he said, that the intent of the Conditional Use can be met.

Commissioner Bierman said that it could move ahead if the Department could be satisfied that enough landscaping could and would be provided. If you find it okay, she said, there is no need to bring it back to us.

Commissioners' Questions and Matters

The Commission agreed that it would be appropriate for Selim Bendix, Environmental Review Officer, to indicate, to the City of Brisbane, the Commission's view that the City and County of San Francisco should assume a co-lead agency role with respect to the proposed garbage incinerator to be located in the City of Brisbane.

1:15 P.M.

PRESENTATION OF HOUSING OPPORTUNITY SITE REPORT.

(Continued from the Meeting of March 22, 1979)

Glenda Skiffer, Planner III, described, briefly, the methodology by which the data had been collected. Our basic finding, she said, is that if housing construction was to continue at a rate averaged over the past five years, then there are sites sufficient for a ten-year period of construction.

Responding to Commissioner Bierman's concern about suitability of sites for construction, Rai Okamoto, Director of Planning, said that the Department intended to amend the report to include data related to the size of the site and topographical characteristics.

With respect to the suitability of a site for construction, President Rosenblatt said that standards change and that it would be impossible to say, in an absolute sense, that a site was not buildable.

No further action was taken on this matter.

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EE75.100 - SAN ADREAS PIPELINE NO. 3.

CONSIDERATION OF CERTIFICATION OF FINAL ENVIRONMENTAL IMPACT REPORT FOR CONSTRUCTION OF 66" DIAMETER WATER PIPELINE THROUGH THE CITIES OF SAN BRUNO, SOUTH SAN FRANCISCO AND COLMA AND UNINCORPORATED AREAS IN SAN MATEO COUNTY, A DISTANCE OF 6.5 MILES; EXCEPT FOR 38 STREET CROSSINGS, the PIPELINE WOULD BE CONSTRUCTED WITHIN AN EXISTING RIGHT-OF-WAY OWNED BY THE SAN FRANCISCO WATER DEPARTMENT

Selina Bendix, Environmental Review Officer, noted that the Commission had reviewed the "Comments and Responses" on the draft Environmental Impact Report (EIR). She said that the staff recommendation was to certify the final EIR. Further, she recommended a finding of no adverse impact.

In the absence of any public comment, Commissioner Bierman moved approval of the staff recommendation to certify the final EIR. The motion was seconded by Commissioner Mignola and passed unanimously as City Planning Commission Resolution No. 8244.

(Absent: Commissioner Christensen.)

At approximately 2:30 p.m., Commissioner Christensen arrived.

CU79.28 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE AT 272 NINTH STREET, SOUTHWEST SIDE BETWEEN FOLSOM AND HOWARD STREETS, LOT 11 IN ASSESSOR'S BLOCK 3518, FOR RESIDENTIAL CARE FACILITY FOR 40 RESIDENTS WITH DAY PROGRAMS FOR 20 VISITORS, IN A C-3-S (DOWNTOWN SUPPORT) DISTRICT.

A case report was available. It was summarized by Jim Miller, Planner II.

Dr. C. Underwood represented the applicant, the Pacific Medical Center (PMC). Responding to Commissioner Mignola, Dr. Underwood said PMC would spend approximately \$75,000 to remodel the building. Responding to Commissioner Dearman's concern about the proposed location, Dr. Underwood said that locations were hard to find and that the alternative was the State Hospital at Napa.

Further, Dr. Underwood said that the expectation was that a majority of patients would come from the area. He described the facility as a "three-quarter" house. It's an alternative to an in-patient facility with no medical over-lay, he said.

Representing the Community Mental Health Program of the Department of Public Health, Dr. Sanders stressed that patient services would be provided at a reduced cost.

Larry Littlejohn, an eight-year resident of the area, said that the area was indeed a community. He described it as a "gay" neighborhood and said that the proposed use was incompatible. Mr. Littlejohn said that a delicate balance existed in the neighborhood and that the facility would swamp the neighborhood.

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Julie Peck, a social worker in the Tenderloin Area, said that there had been a noticed public meeting on the facility and that there was virtually no expression of opposition.

Dr. Arthur Newman, a resident of the area, said that it was his belief that PMC had not sought an alternative facility for two years. He said that four members of the Mental Health Advisory Committee were opposed. Dr. Newman said that the neighborhood was not stable. He advised that the matter of location be rethought.

Robert Passmore, Acting Zoning Administrator, said that the staff recommendation was for approval with conditions. Mr. Passmore said that the area was zoned C-3-S and that it would support a wide range of uses. It would be appropriate, he said.

Commissioner Starbuck moved approval of the staff recommendation. The motion was seconded by Commissioner Nakashima and passed by a vote of 6-1 as City Planning Commission Resolution No. 8245.

(Voting yes: Commissioners Bierman, Christensen, Mignola, Nakashima, Rosenblatt, Starbuck; Voting no: Commissioner Dearman)

CU79.25 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE AT 980 SACRAMENTO STREET, NORTH SIDE BETWEEN JOICE AND POWELL STREETS, LOT 10 IN ASSESSOR'S BLOCK 224, FOR AN ENCLOSED ROOFTOP ADDITION 5 FEET IN HEIGHT, 700 SQUARE FEET IN AREA, ON A 224-FOOT BUILDING IN AN RM-4 (MIXED RESIDENTIAL, HIGH DENSITY) DISTRICT.

Robert Passmore, Acting Zoning Administrator, said that the applicant had requested to withdraw the application. The recommendation is to permit withdrawal without prejudice, he said.

Commissioner Dearman moved approval of the staff recommendation. The motion was seconded by Commissioner Nakashima and passed unanimously as City Planning Commission Resolution No. 8246.

CU79.24 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE AT 797 -35TH AVENUE, NORTHWEST CORNER AT CABRILLO STREET, LOT 13C IN ASSESSOR'S BLOCK 1609, FOR RESIDENTIAL CARE FACILITY INCREASE FROM 6 TO 10 RESIDENTS IN AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT.

The Commission agreed to waive a presentation of the case report. Jim Miller, Planner II, said that the recommendation was for approval with conditions. We note, he said, that the expansion should have no significant impact.

Commissioner Nakashima moved approval of the staff recommendation. The motion was seconded by Commissioner Christensen and passed unanimously as City Planning Commission Resolution No. 8247.

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CU79.22 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE AT SOUTH SIDE OF ANZA STREET OPPOSITE COLLINS AND BLAKE STREETS, PORTION OF ANZA STREET PARKING LOT OF LONE MOUNTAIN CAMPUS OF THE UNIVERSITY OF SAN FRANCISCO, A PORTION OF LOT 3A IN ASSESSOR'S BLOCK 1107, FOR A COMMUNITY RECYCLING PROGRAM AND FACILITY, IN AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT.

A case report was available. It was summarized by Alec Bash, City Planning Coordinator.

The applicant, Mr. John Barry, of the ~~San Francisco~~ ~~University of San Francisco~~ ~~University of San Francisco~~, said that as an open-air facility, the center had been at the same location for quite some time. We have no problem with rodents or traffic, he said, and noise is kept at an absolute minimum. Mr. Barry said that the proposed building would have six feet of sound insulation.

Fred Arendt, a nearby property owner, said that it was a dump yard and that he was opposed.

After being assured that there would be no view blockage from his home, Dr. Bernstein, an Anza Street resident, said that he was not opposed.

V. O. Hardy, a resident at 375 Ewing Street, said that there would be noise, odor, rodents and traffic congestion and that he was opposed.

Estelle Arendt, said that it was inappropriate in a residential district.

Robert Passmore, Acting Zoning Administrator said that the staff recommendation was for approval with conditions.

Commissioner Bierman said that it could be an annoyance to the neighborhood but that the benefits were great. The applicant has agreed to provide screening where the neighborhood thinks it necessary, she noted.

President Rosenblatt said that it was the Commission's intent that the hours of operation be observed in a strict sense.

The staff recommendation for approval with conditions was moved by Commissioner Bierman, seconded by Commissioner Dearman and passed unanimously as City Planning Commission Resolution No. 8248.

CU79.7 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE AT 4112 - 24TH STREET, NORTH SIDE BETWEEN CASTRO AND DIAMOND STREETS, LOT 6 IN ASSESSOR'S BLOCK 2831, FOR CONVERSION OF DWELLING UNIT TO PROFESSIONAL OFFICES ABOVE GROUND STORY IN AN RC-1 (RESIDENTIAL-COMMERCIAL COMBINED, LOW DENSITY) DISTRICT.

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A case report was available. It was summarized by Alec Bash, City Planning Coordinator.

Howard Berman, an attorney, represented the applicants.

Dr. Carol Tuttle, an applicant, said that an alternate location for the clinic could not be found on 24th Street. Some of us live in the area, she said. Fifty-four percent of our patients live within walking distance and seventy percent of our patients have Medi-Cal coverage. We are not a disruption to the neighborhood.

Responding to questions from the Commission, Dr. Tuttle said that the building had been purchased in August of 1978 and occupied since October of 1978. At the time of purchase, she said, the three units upstairs were vacant. She said that appliances had been removed from a kitchen in one unit.

Responding to Commissioner Christensen, Dr. Tuttle said that the vacancies occurred prior to purchase.

Robert Passmore, Acting Zoning Administrator, noted that there was no record of building permits for the ground level retail use and that it was therefore illegal.

Walter Ras, representing Friends of Noe Valley, said that the group supported the application. We are concerned about lost housing units, he said, and we would not want this to set a precedent. We would recommend that if you approve, the approval be limited to this group of applicants and this specific use.

Dan Aller, an area resident, said that the facility had improved the area.

Louis Hapfor said that both the Friends of Noe Valley and the 24th Street Merchants Association support the application.

Fred Methner, representing the East and West of Castro Improvement Club, said that the issue was the retention of housing and that he was opposed.

Jorge Verben, an applicant, said that the facility served a useful purpose.

Commissioner Dearman asked if the clinic had been legally located in its former building. Dr. Michael Fidler, an applicant said, "yes".

Mr. Schissel, an electrical inspector of the Bureau of Building Inspection, said that there had been no valid permits and that the previous use had been illegal.

Marne Hall, an applicant, said that the building was used to support many community functions.

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Robert Passmore, Acting Zoning Administrator, said that the staff recommendation was for approval with conditions. He said that there was a policy of retaining residential units but that in this case there is neighborhood support and a neighborhood should have necessary services.

Commissioner Starbuck said that this was a classic case. It is neighborhood services vs. the retention of residential units, he said. The building would become 100% commercial. He stressed that there would be nothing to prevent other applications based on an assertion of service to the neighborhood. I am opposed to this, he said.

Commissioner Bierman moved approval of the staff recommendation. I understand the housing issue, she said, but there is support.

The motion was seconded by Commissioner Mignola.

Commissioner Starbuck said that the use could be located on the ground floor. Commissioner Nakashima said that it was the right use in the wrong place.

The matter was disapproved by a vote of 5-2 as City Planning Commission Resolution No. 8249.

(Voting yes: Commissioners Christensen, Dearman, Nakashima, Rosenblatt, Starbuck; Voting no: Commissioner Bierman, Mignola)

The Commission agreed to consider, simultaneously, items No. 10 and No. 11. Further, the Commission agreed to waive the case report for each item.

Robert Passmore, Acting Zoning Administrator, indicated that there was a pending variance related to these matters and that the Acting Zoning Administrator would approve the variance applications. The staff recommendation is that both matters, RS79.41 and CU79.18, be approved with conditions.

Commissioner Nakashima moved approval of both matters. The motion was seconded by Commissioner Christensen. RS79.41 was approved unanimously as City Planning Commission Resolution No. 8250 and CU79.18 was approved unanimously as City Planning Commission Resolution No. 8251.

CU79.17 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE AT 55-65 VANDEWATER STREET, SOUTH SIDE BETWEEN MASON AND POWELL STREETS, A PORTION OF LOT 11 IN ASSESSOR'S BLOCK 41, FOR EIGHT ADDITIONAL PARKING SPACES TO SERVE A NEW 13-UNIT BUILDING ALLOWED FIVE PARKING SPACES IN AN RC-4 (RESIDENTIAL-COMMERCIAL COMBINED, HIGH DENSITY) DISTRICT.

The Commission agreed to consider, simultaneously, items No. 12 (CU79.17), No. 13 (CU79.19), No. 14 (CU79.20), and No. 15 (CU79.21).

Robert Passmore, Acting Zoning Administrator, said that the staff recommendation was for approval of each item.

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Commissioner Bierman moved approval of each item. The motion was seconded by Commissioner Nakashima and passed unanimously. Item No. 12 (CU79.17) was approved as City Planning Commission Resolution No. 8252. Item No. 13 (CU79.19) was approved as City Planning Commission Resolution No. 8253. Item No. 14 (CU79.20) was approved as City Planning Commission Resolution No. 8254. Item No. 15 (CU79.21) was approved as City Planning Commission Resolution No. 8255.

CU79.14 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE AT 2815 BUSH STREET, SOUTH SIDE BETWEEN BAKER AND LYON STREET, LOT 32A IN ASSESSOR'S BLOCK 1054, FOR CHILD CARE FACILITY FOR 50 CHILDREN, IN AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT.
(CONTINUED FROM THE MEETING OF APRIL 5, 1979)

Jim Miller, Planner II, noted that the hearing had been continued from April 5, 1979. The applicant has agreed to reduce the number of children to 23, he said, and the staff recommendation is for approval.

President Rosenblatt said that he would vote for approval but that Bush Street seemed an inappropriate street for a child care facility.

The staff recommendation for approval was moved by Commissioner Nakashima, seconded by Commissioner Bierman and passed unanimously as City Planning Commission Resolution No. 8256.

At approximately 5:25 p.m., Commissioner Dearman left the meeting.

CU78.64 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE AT INTERIOR PORTION OF BLOCK BOUNDED BY 19TH, OAKWOOD, 18TH AND GURRERO STREETS, AT 3620 - 19TH STREET, LOT 18, 68, AND 70 IN ASSESSOR'S BLOCK 3587, FOR A PLANNED UNIT DEVELOPMENT CONSISTING OF 31 TOWNHOUSES IN SEVEN BUILDINGS, WITH 38 PARKING SPACES, REQUIRING AN EXCEPTION TO REAR YARD REQUIREMENTS, IN AN RH-2 (HOUSE, TWO-FAMILY) AND RH-3 (HOUSE, THREE-FAMILY) DISTRICT.

A case report was available. It was summarized by Jeremy Kotas, Planner II.

Terry Lindahl, an architect, represented the applicant, Edwin Litke.

Based on a field trip to the subject site and the project description contained in the case report, Commissioner Nakashima indicated to Mr. Lindahl, his concern about possible impacts to the rear yards and open space of the surrounding dwellings.

Mr. Enomoto, the project architect, said that an important consideration was the type of housing being provided. There is a scarcity of single-family housing, he said, and this proposal is for family type housing.

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Jerry Freeman, an area resident, said that the proposal would result in increased density, traffic congestion, noise and less sunlight for surrounding dwellings. Affirming the views expressed by Mr. Freeman, the following residents of the area spoke:

1. Charles Webster
2. John Calderwood
3. Paul Wagers
4. Ronald Brown
5. Odett Pisha
6. William Summer
7. Jill Rashold
8. Dan Goodlock
9. Michael Chamburg

At approximately 6:00 p.m., Commissioner Nakashima left the meeting.

Robert Passmore, Acting Zoning Administrator, said that the proposal, as a Planned Unit Development, had been preferred to a simple variance for rear yard and open space. In this instance, it does not seem to work, he said. It would not improve residential quality in this block. The recommendation, he said, is for disapproval.

The staff recommendation was moved by Commissioner Starbuck, seconded by Commissioner Bierman and passed unanimously as City Planning Commission Resolution No. 8257.

(Absent: Commissioners Dearman, Nakashima)

COMMISSIONERS QUESTIONS AND MATTERS (CONTINUED)

The Commission requested that the staff prepare and have calendared, a resolution of intent to initiate a Special Use District for the site of the former Sutro Baths.

The meeting adjourned at 6:30 p.m.

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CITY PLANNING COMMISSION
SUMMARY AND MINUTES
OF THE
REGULAR MEETING
HELD
THURSDAY, MAY 17, 1979
ROOM 282, CITY HALL
1:00 P.M.

The City Planning Commission met pursuant to notice on Thursday, May 17, 1979, at 1:00 p.m. in Room 282, City Hall.

PRESENT: Toby Rosenblatt, President; Susan J. Bierman, John Christensen, Joseph Mignola, Yoshio Nakashima, Charles Starbuck, members of the City Planning Commission.

ABSENT: Commissioner Ina F. Dearman.

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; Robert Passmore, Acting Zoning Administrator; Wayne Rieke, Planner IV; Selina Bendix, Environmental Review Officer; Dick Hedman, Planner V; Carol Roos, Staff Assistant II and Lee Woods, Secretary.

Gerald Adams represented the San Francisco Examiner.

At approximately 4:00 p.m., Commissioner Mignola arrived for the meeting.

APPROVAL OF MINUTES

Minutes of the Regular Meeting of April 12, 1979, were unanimously approved as amended.

(Absent: Commissioners Dearman and Mignola)

FIELD TRIP

Members of the Commission and staff departed from 100 Larkin Street at 12:00 Noon to visit sites of cases scheduled for the May 17, 1979 Calendar.

CURRENT MATTERS

Rai Y. Okamoto, Director of Planning, indicated that Robert Passmore, Acting Zoning Administrator, was meeting with Mr. Steven Leonoudakis, operator of the Airporter System. Mr. Passmore, the Director said, will give you a status report later in this hearing. With respect to the proposed site for the Airporter Terminal, the Director said that it was the staff's judgement that Conditional Use Authorization would be required.

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The Director reported that he had viewed a granite "mock-up" of the proposed facade material for the Neiman-Marcus Store. My final recommendation, he said, will be transmitted to you in a future memorandum.

In the context of the proposed Wharf Park I and Wharf Park II, Commissioner Starbuck asked that the staff encourage the Pacific Union Company and representatives of the Open Space Program to confer on a small site at the top of the Greenwich Street stairs.

Commissioner Starbuck said that a letter from the Department to the Telegraph Hill Dwellers related to the Pier 39 Park, contained factual errors related to sewer construction and Bay Conservation and Development Commission approvals.

CU79.10 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE FOR A PLANNED UNIT DEVELOPMENT AT THE NORTHWEST AND SOUTHWEST CORNERS OF FRANCISCO AND KEARNY STREETS, LOT 1A IN ASSESSOR'S BLOCK 38 AND LOT 16 IN ASSESSOR'S BLOCK 55.
PROPOSAL FOR 233 DWELLING UNITS AND 57 PARKING SPACES IN ONE EXISTING AND TWO NEW BUILDINGS, REQUIRING EXCEPTIONS FOR DENSITY, OFF-STREET PARKING, REAR YARDS AND USABLE OPEN SPACE, IN THE NORTHERN WATERFRONT SPECIAL USE DISTRICT NO. 3, IN A C-2 (COMMUNITY BUSINESS) DISTRICT.

The Director of Planning, Rai Okamoto, said that the applicant had indicated that there was an error in his application and that notice of the hearing was incorrect. He said that a new notice was required and that the staff recommendation was to continue item no. 3 (CU79.10) and item no. 4 (R79.19) to June 7, 1979.

EE78.434- APPEAL OF PRELIMINARY NEGATIVE DECLARATION FOR THE DEMOLITION OF STRAIGHT THEATRE, 1702 HAIGHT STREET, LOT 7 IN ASSESSOR'S BLOCK 1229.
PROPOSAL FOR DEMOLITION OF ABANDONED MOVIE HOUSE AND FENCING PROPERTY; NO PROJECT PROPOSED.
(CONTINUED FROM THE MEETING OF APRIL 19, 1979)

Carol Roos, Staff Assistant III, described the proposal and reviewed the content of the preliminary negative declaration.

William Sepatis, a member of the Haight Ashbury Merchants Association (HAMA) and the Haight Ashbury Neighborhood Council (HANC), requested that the Commission disqualify Commissioner Bierman because she had helped to found HANC, the applicant in this case. He said that the concept of "conflict of interest" went beyond immediate economic interests.

James Reilly, an attorney representing the project sponsor, said Commissioner Bierman should be disqualified because she had testified in opposition to demolition before the Bureau of Permit Appeals (BPA).

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Commissioner Starbuck noted that the Commission had excused members where there was possible economic conflict. In this instance, he said, there is neither the issue of demolition nor the issue of economic conflict. What is before us is the issue of environmental evaluation.

At this time, the Commission chose to recess to summon a representative of the City Attorney's Office.

When the Commission reconvened, President Rosenblatt indicated that Buck Delvanthal, a Deputy City Attorney, was present and representing the City Attorney's Office.

President Rosenblatt indicated to Mr. Delvanthal that the matter before the Commission was the issue of environmental evaluation and not demolition. Also, he explained to Mr. Delvanthal the basis of the request by Mr. Sepatis and Mr. Reilly for the disqualification of Commissioner Bierman.

With respect to the BPA transcript introduced by Mr. Reilly, Commissioner Starbuck noted that Commissioner Bierman had not referred to environmental evaluation in any sense.

Mr. Delvanthal said that one issue was "conflict of interest".

Commissioner Bierman said that she had resigned from HANC when she was appointed to the Commission.

Mr. Delvanthal said that there was no conflict if Commissioner Bierman was not a member of the Board of Directors of HANC.

With respect to the issue of demolition, Mr. Delvanthal said that the matter before the Commission was environmental evaluation and that Commissioner Bierman's stance on demolition was irrelevant.

Commissioner Bierman said that she could not ask to be excused; that to leave would be to abrogate her responsibility. I am not a Board member of HANC, she said, and I have no economic interest in the matter. Commissioner Bierman said that the matter before the Commission was environmental evaluation and that she felt competent to exercise judgement in this area.

Anna Dardin represented HANC. She said that in April the general membership of HANC had authorized the appeal.

William Sepatis, a member of HANC, said that the matter had never come before HANC.

Anna Dardin said that an Environmental Impact Report (EIR) should be required because the demolition was part of a plan for a large project.

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William Holtzman said that California Environmental Quality Act guidelines require an EIR where there is a body of opinion that significant negative impacts are possible.

Bob Crowell, an area resident, said that the area needed more cultural activity.

John Hanson said that an EIR ought to be required.

James Reilly and Nabor Tashjian, attorneys representing the project sponsor, said that the court had ruled that the matter required environmental evaluation and not necessarily an EIR.

John Brennan, the project sponsor, said that he had no plans for the site.

Lucille Jackson, a businesswoman from the neighborhood, said that demolition would help the street.

Commissioner Bierman said that a vacant lot had potential for unhealthy activities.

Tom Flynn and Steve Brown said that the abandoned building was dangerous and that it attracted derelicts.

Kevin Simmonite said that the street needed to be cleaned up.

Responding to an attempt by Mr. Sepatis to imply that the Commission had prejudged the matter, President Rosenblatt said that the Brown Act made it illegal to meet privately and make decisions. He said that the Commission had not discussed the issue before the hearing and that the matter had not been pre-decided to any extent.

Responding to Commissioner Bierman's question about a possible large project, Selina Bendix, Environmental Review Officer, said that environmental review could not be directed to possible future uses. With respect to the question of the effect of a vacant lot, she said that there did not seem to be impacts of a magnitude sufficient to warrant an EIR.

The Director of Planning said that the staff recommendation was to sustain the preliminary negative declaration and to deny the appeal.

Commissioner Nakashima moved approval of the staff recommendation. The motion was seconded by Commissioner Starbuck and passed unanimously as City Planning Commission Resolution No. 8265.

(Absent: Commissioners Dearman, Mignola)

Commissioner Christensen said that while he had voted "yes", it was on the basis of facts and not the offensive remarks of Mr. Sepatis.

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At this time, Commissioner Mignola arrived for the meeting.

CU76.30 - 2301 - 19TH AVENUE, SOUTHWEST CORNER OF SANTIAGO STREET, LOT 1 IN ASSESSOR'S BLOCK 2348; IN AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT.
REQUEST FOR AUTHORIZATION FOR CONDITIONAL USE TO REMOVE A TERMINATION DATE FROM A NON-CONFORMING GASOLINE SERVICE STATION IN A RESIDENTIAL ZONING DISTRICT.

Wayne Rieke, Planner IV, introduced the subject of the Non-Conforming Use (NCU) gasoline service stations. He said the Commission had before it draft resolutions related to each of the Conditional Use applications to follow.

President Rosenblatt said that it would be appropriate to discuss the conditions contained in the draft resolutions and to take testimony on the general subject before proceeding to consider each case.

Responding to President Rosenblatt, Ken Clifford, District Manager, Shell Oil Company, said that when a local station closed, its gas allocation was transferred to a national pool for redistribution.

Tom Bardet, a Mobile Oil dealer, said that a condition limiting his hours of operation would cause him great concern.

Ken Clifford, Norman Miller, and T. T. Clausen said that public demand should be allowed to regulate hours of operation.

Fred Bertetta and Norman Miller said that a condition imposing a ten feet (10') height limit on signs could prove problematic.

President Rosenblatt said that it occurred to him that there was something different about 19th Avenue. He said that he was concerned about both the need for housing sites and the gasoline allocation problem.

Commissioner Bierman asked if there was enough of a housing emergency to justify the loss of small businesses and jobs.

With respect to item no. 6 (CU76.30), Robert Passmore, Acting Zoning Administrator, said that the recommendation was for approval with conditions contained in the draft resolution.

Commissioner Nakashima moved approval of the staff recommendation for approval with conditions. His motion provided for the deletion of the condition related to "hours of operation" and the condition requiring that freestanding signs not exceed ten feet (10') in height. The motion was seconded by Commissioner Christensen and passed by a vote of 5-1 as City Planning Commission Resolution No. 8266.

(Voting yes: Commissioners Bierman, Christensen, Mignola, Nakashima, Rosenblatt; Voting no: Commissioner Starbuck; Absent: Commissioner Dearman)

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CU78.16 - 2298 - 19TH AVENUE, NORTHEAST CORNER OF SANTIAGO STREET, LOT 4H IN ASSESSOR'S BLOCK 2331; IN AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT. REQUEST FOR AUTHORIZATION FOR CONDITIONAL USE TO REMOVE A TERMINATION DATE FROM A NON-CONFORMING GASOLINE SERVICE STATION IN A RESIDENTIAL ZONING DISTRICT.

A case report was available. It was summarized by Wayne Rieke, Planner IV.

Robert Passmore, Acting Zoning Administrator, said that the staff recommendation was for approval with the same basic conditions applied to the previous case.

The staff recommendation was moved by Commissioner Christensen. The motion was seconded by Commissioner Nakashima and passed by a vote of 5-1 as City Planning Commission Resolution No. 8267.

(Voting yes: Commissioner Bierman, Christensen, Mignola, Nakashima, Rosenblatt; Voting no: Commissioner Starbuck; Absent: Commissioner Dearman)

CU77.27 - 1401 JUDAH STREET, SOUTHWEST CORNER OF 19TH AVENUE, LOT 37 IN ASSESSOR'S BLOCK 1834; IN AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT. REQUEST FOR AUTHORIZATION FOR CONDITIONAL USE TO REMOVE A TERMINATION DATE FROM A NON-CONFORMING GASOLINE SERVICE STATION IN A RESIDENTIAL ZONING DISTRICT.

A case report was available. It was summarized by Wayne Rieke, Planner IV.

Robert Passmore, Acting Zoning Administrator, said that the staff recommendation was for approval with the same basic conditions applied to the previous case.

The staff recommendation was moved by Commissioner Nakashima. The motion was seconded by Commissioner Christensen and passed by a vote of 5-1 as City Planning Commission Resolution No. 8268.

(Voting yes: Commissioners Bierman, Christensen, Mignola, Nakashima, Rosenblatt; Voting no: Commissioner Starbuck; Absent: Commissioner Dearman)

CU78.41 - 1400 - 19TH AVENUE, SOUTHEAST CORNER OF JUDAH STREET, LOT 43 IN ASSESSOR'S BLOCK 1835; IN AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT. REQUEST FOR AUTHORIZATION FOR CONDITIONAL USE TO REMOVE A TERMINATION DATE FROM A NON-CONFORMING GASOLINE SERVICE STATION IN A RESIDENTIAL ZONING DISTRICT.

A case report was available. It was summarized by Wayne Rieke, Planner IV.

Robert Passmore, Acting Zoning Administrator, said that the staff recommendation was for approval with the same basic conditions applied to the previous case.

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The staff recommendation was moved by Commissioner Christensen. The motion was seconded by Commissioner Nakashima and passed by a vote of 5-1 as City Planning Commission Resolution No. 8269.

(Voting yes: Commissioners Bierman, Christensen, Mignola, Nakashima, Rosenblatt; Voting no: Commissioner Starbuck; Absent: Commissioner Dearman)

CU78.51 - 2095 - 19TH AVENUE, NORTHWEST CORNER OF QUINTARA STREET, LOT 12 IN ASSESSOR'S BLOCK 2139; IN AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT. REQUEST FOR AUTHORIZATION FOR CONDITIONAL USE TO REMOVE A TERMINATION DATE FROM A NON-CONFORMING GASOLINE SERVICE STATION IN A RESIDENTIAL ZONING DISTRICT.

A case report was available. It was summarized by Wayne Rieke, Planner IV.

Robert Passmore, Acting Zoning Administrator, said that the staff recommendation was for approval with the same basic conditions applied to the previous case.

The staff recommendation was moved by Commissioner Nakashima. The motion was seconded by Commissioner Christensen and passed by a vote of 5-1 as City Planning Commission Resolution No. 8270.

(Voting yes: Commissioners Bierman, Christensen, Mignola, Nakashima, Rosenblatt; Voting no: Commissioner Starbuck; Absent: Commissioner Dearman)

CU78.52 - 2000 - 19TH AVENUE, SOUTHEAST CORNER OF PACHECO STREET, LOT 29 IN ASSESSOR'S BLOCK 2138; IN AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT. REQUEST FOR AUTHORIZATION FOR CONDITIONAL USE TO REMOVE A TERMINATION DATE FROM A NON-CONFORMING GASOLINE SERVICE STATION IN A RESIDENTIAL ZONING DISTRICT.

A case report was available. It was summarized by Wayne Rieke, Planner IV.

Robert Passmore, Acting Zoning Administrator, said that the staff recommendation was for approval with the same basic conditions applied to the previous case.

The staff recommendation was moved by Commissioner Nakashima. The motion was seconded by Commissioner Mignola and passed by a vote of 5-1 as City Planning Commission Resolution No. 8271.

(Voting yes: Commissioners Bierman, Christensen, Mignola, Nakashima, Rosenblatt; Voting no: Commissioner Starbuck; Absent: Commissioner Dearman)

CU78.53 - 1500 - 19TH AVENUE, SOUTHEAST CORNER OF KIRKHAM STREET, LOT 10 IN ASSESSOR'S BLOCK 1864; IN AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT. REQUEST FOR AUTHORIZATION FOR CONDITIONAL USE TO REMOVE A TERMINATION DATE FROM A NON-CONFORMING GASOLINE SERVICE STATION IN A RESIDENTIAL ZONING DISTRICT.

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A case report was available. It was summarized by Wayne Rieke, Planner IV.

Robert Passmore, Acting Zoning Administrator, said that the staff recommendation was for disapproval. The lot is small, and its acute slope creates traffic circulation problems. Also, he noted the fact that the lot was a housing opportunity site.

Commissioner Bierman asked if the owner or operator had been notified. Reebe said "yes" but that the owner may not have understood the staff intent to recommend disapproval.

Commissioner Christensen moved that the matter be continued to July 19, 1979. The motion was seconded by Commissioner Nakashima and passed unanimously. (Absent: Commissioner Dearman)

CU78.62 - 1200 - 19TH AVENUE, SOUTHEAST CORNER OF LINCOLN WAY, LOTS 41, 42 AND 43 IN ASSESSOR'S BLOCK 1732; IN AN RM-2 (MIXED RESIDENTIAL, MODERATE DENSITY) DISTRICT.
REQUEST FOR AUTHORIZATION FOR CONDITIONAL USE TO REMOVE A
TERMINATION DATE FROM A NON-CONFORMING GASOLINE SERVICE STATION
IN A RESIDENTIAL ZONING DISTRICT.

A case report was available. It was summarized by Wayne Rieke, Planner IV.

Robert Passmore, Acting Zoning Administrator, said that the staff recommendation was for disapproval. He said that the site was an ideal housing opportunity site, and that commercial uses at the site were incompatible with the surrounding residential neighborhood.

Doug Backeberg represented the station operator, Bill Wren. Mr. Backeberg said this was the only "full-service" station on 19th Avenue, that the owner had invested heavily and that the station's gasoline allocation was enormous. Mr. Backeberg said that the station employed 25 persons.

Commissioner Bierman said that the critical issue was employment. Natural attrition of stations will give us housing sites, she said.

Commissioner Bierman moved approval, with conditions, of the application for Conditional Use to remove the Non-Conforming Use termination date of 1982. The staff, she said, can return to us with a formal resolution. The motion was seconded by Commissioner Mignola and passed by a vote of 5-1 as City Planning Commission Resolution No. 8272.

(Voting yes: Commissioners Bierman, Christensen, Mignola, Nakashima, Rosenblatt; Voting no: Commissioner Starbuck; Absent: Commissioner Dearman)

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CU78.50 - 1301 LINCOLN WAY, SOUTHWEST CORNER OF 14TH AVENUE, LOT 1 IN ASSESSOR'S BLOCK 1736; IN AN RM-4 (MIXED RESIDENTIAL, HIGH DENSITY) DISTRICT.

REQUEST FOR AUTHORIZATION FOR CONDITIONAL USE TO REMOVE A TERMINATION DATE FROM A NON-CONFORMING GASOLINE SERVICE STATION IN A RESIDENTIAL ZONING DISTRICT.

Robert Passmore, Acting Zoning Administrator, said that the staff recommendation was for disapproval. He cited reasons including the need for housing sites and the incompatibility of commercial uses in residential neighborhoods.

Commissioner Christensen moved that the termination date be extended to May 2, 1984 and that the conditions of approval applied to the previous cases be applied here also. The staff, he said, should bring to us at our next meeting a formal resolution. The motion was seconded by Commissioner Bierman and passed by a vote of 5-1 as City Planning Commission Resolution No. 8273.

(Voting yes: Commissioners Bierman, Christensen, Mignola, Nakashima, Rosenblatt; Voting no: Commissioner Starbuck; Absent: Commissioner Dearman)

CU78.42 - 300 LAGUNA HONDA BOULEVARD, SOUTHWEST CORNER OF PLAZA STREET, LOT 1 IN ASSESSOR'S BLOCK 2864; IN AN RM-2 (MIXED RESIDENTIAL, MODERATE DENSITY) DISTRICT.

REQUEST FOR AUTHORIZATION FOR CONDITIONAL USE TO REMOVE A TERMINATION DATE FROM A NON-CONFORMING GASOLINE SERVICE STATION IN A RESIDENTIAL ZONING DISTRICT.

Robert Passmore, Acting Zoning Administrator, said that the staff recommendation was for disapproval. He cited reasons which had been cited earlier.

Norman Miller, Union Oil Company Real Estate Representative, said that the station had an extremely high volume gasoline allocation of 1.5 million gallons per year.

Commissioner Nakashima moved that the Conditional Use application for removal of the Non-Conforming Use termination date be approved with the conditions applied earlier. Again, he said, the staff should return in one week with a formal resolution. The motion was seconded by Commissioner Bierman and passed by a vote of 5-1 as City Planning Commission Resolution No. 8274.

(Voting yes: Commissioners Bierman, Christensen, Mignola, Nakashima, Rosenblatt; Voting no: Commissioner Starbuck; Absent: Commissioner Dearman)

CU78.47 - 300 MONTEREY BOULEVARD, NORTHWEST CORNER OF CONGO STREET, LOT 6 IN ASSESSOR'S BLOCK 3091; IN AN RM-1 (MIXED RESIDENTIAL, LOW DENSITY) DISTRICT.

REQUEST FOR AUTHORIZATION FOR CONDITIONAL USE TO REMOVE A TERMINATION DATE FROM A NON-CONFORMING GASOLINE SERVICE STATION IN A RESIDENTIAL ZONING DISTRICT.

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Robert Passmore, Acting Zoning Administrator, said that the facility covered more than thirty percent (30%) of the subject lot and that it was not eligible for Conditional Use under the present Code. There is the possibility of a Code Amendment, he said, and we would recommend continuance to July 19, 1979.

The staff recommendation for continuance was moved by Commissioner Nakashima, seconded by Commissioner Christensen and passed unanimously.

(Absent: Commissioner Dearman)

CONSIDERATION OF DRAFT RESOLUTION RELATED TO ARCHITECTURAL PRESERVATION PROBLEMS IN DOWNTOWN SAN FRANCISCO.

(CONTINUED FROM THE MEETING OF APRIL 19, 1979)

Rai Y. Okamoto, Director of Planning, indicated that a draft resolution was before the Commission. He said that the staff recommendation was for approval.

Commissioner Bierman moved approval of the draft resolution containing the following "resolved" clauses:

THEREFORE BE IT RESOLVED, That the City Planning Commission urgently requests the Landmarks Preservation Advisory Board to prepare a ranked list of buildings for Structures of Merit Designation as per Article 10, Section 1011, for consideration and appropriate action by the Commission:

AND BE IT FURTHER RESOLVED, That the City Planning Commission directs the Department of City Planning to take the following administrative actions:

1. That the Department of City Planning in its normal procedure of evaluating projects in the Downtown, which would entail the demolition of notable buildings listed in the 1976 Architectural Inventory, require the submission of alternative designs which would preserve the entire building as adaptive re-use, the facades or portions of the facades, and/or significant interiors. This requirement would apply to all buildings on the official list of Structures of Merit. In the absence of such a list this requirement would apply to all structures rated 3 and above in the Architectural Inventory. The re-use alternative should make every effort to develop a workable plan for the existing building(s). In addition, environmental review should be required for demolition of any such buildings even if independent of a proposed project.
2. That the Department staff as part of its normal project review give particular attention to projects in the vicinity of existing Landmarks and buildings cited as Structures of Merit to achieve a positive architectural interrelationship.

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3. That the Department staff as part of the Downtown Study explore and report on the possibility of modifying the C-3 bonus provisions to (a) provide a bonus for preservation in part or whole of a Landmark or building of Special Merit when located within the project boundary, and (b) allow for transfer of development rights of Landmarks and buildings of Special Merit within the downtown C-3 districts, to any other C-3 location. Further, that Department staff study ways and means for providing some degree of protection from demolition for designated Structures of Merit and prepare guidelines for preservation and new development near architecturally outstanding buildings.
4. That Department staff prepare a letter to the Board of Supervisors for the City Planning Commission outlining the concerns presented in the memorandum of April 20th and this Resolution.

The motion was seconded by Commissioner Nakashima.

President Rosenblatt expressed concern that adequate notice be provided to property owners.

Robert Passmore, Acting Zoning Administrator, said that it was the staff's intent to notify property owners prior to any Planning Commission Action on a list developed by the Landmarks Board.

With respect to the draft resolution and the proposed letter to the Board of Supervisors, President Rosenblatt said that he believed that the letter should say simply what the Department and Commission were doing and describe the intent.

The motion for approval of the draft resolution was approved unanimously as City Planning Commission Resolution No. 8275.

(Absent: Commissioner Dearman)

The meeting adjourned at 7:00 p.m.

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SAN FRANCISCO
CITY PLANNING COMMISSION
SUMMARY AND MINUTES
OF THE
REGULAR MEETING
HELD
THURSDAY, MAY 24, 1979
ROOM 282, CITY HALL
1:00 P.M.

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The City Planning Commission met pursuant to notice on Thursday, May 24, 1979, at 1:00 p.m. in Room 282, City Hall.

PRESENT: Toby Rosenblatt, President; Ina F. Dearman, Vice-President; Susan J. Bierman, Joseph Mignola, Yoshio Nakashima and Charles Starbuck, members of the City Planning Commission.

ABSENT: Commissioner John Christensen

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; Robert Passmore, Acting Zoning Administrator; Selina Bendix, Environmental Review Officer; Wayne Rieke, Planner IV; Barbara Sahm, Assistant Environmental Review Officer; Alec Bash, City Planning Coordinator; Mark Winogrand, Planner III; Mary Anne Miller, Planner II; Gerald Owyang, Staff Assistant III and Lee Woods, Secretary.

Gerald Adams represented the San Francisco Examiner.

CURRENT MATTERS

Rai Okamoto, Director of Planning, indicated that the Commission had before it draft resolutions related to Conditional Use Authorization for non-conforming use gasoline service stations which had been considered by the Commission on May 17, 1979. The Director indicated that, by simple motion, the Commission could approve the language contained in the resolutions.

Commissioner Nakashima moved approval of the language of the resolutions. The motion was seconded by Commissioner Bierman and passed by a vote of 4-1. (Voting yes: Commissioners Bierman, Dearman, Nakashima, Rosenblatt; Voting no: Commissioner Starbuck; Absent: Commissioners Christensen, Mignola)

Commissioner Starbuck asked the staff to determine what action had been taken by the Board of Supervisors on the Open Space Program.

Commissioner Bierman said that, at the very least, the Villa Terrace development proposal of Ben Hom should be brought to the Commission for information.

The Director asked for and the Commission agreed to schedule an Executive Session for Personnel Matters on Wednesday, May 30, 1979, at 1:15 p.m. at 100 Larkin Street.

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R79.8A - LEASE OF FREMONT ELEMENTARY SCHOOL, 2055 SILVER AVENUE, NORTHEAST CORNER AT REVERE STREET, PORTION OF ASSESSOR'S BLOCK 5351, TO SAN FRANCISCO POLICE DEPARTMENT FOR TRAINING FACILITY.

Robert Passmore, Acting Zoning Administrator, asked San Francisco Deputy Police Chief, Clem D'Amicis to comment on the Police Department's proposed use of the facility.

Deputy Chief D'Amicis said that his department had sought a facility since 1977. He said that the Department would train 600 new policemen over the next two years. He said that the school had adequate parking, 14 classrooms and that it was easily securable.

Responding to President Rosenblatt, Mr. Passmore said that the proposal was categorically exempt from Environmental Evaluation.

Alec Bash, City Planning Coordinator, said that the surrounding land use was predominantly RH-1 residential. Further, he said that neighborhood representatives had been notified of the proposal and that there seemed to be little concern.

Responding to President Rosenblatt, Captain James Shannon said that the interior parking area would be lighted, that hours of use would be 8:00 a.m. to 10:00 p.m. and that approximately 60 people would use the facility in the day and approximately 200 in the evening.

Mr. Passmore said that a long term use of the facility would be counter to Master Plan policies but that the Police Department had agreed to a maximum of 4 years and that the staff recommendation was for a finding of consistency with the Master Plan.

Mr. Passmore said that the staff recommendation for approval was based on conditions including a maximum of 4 years of use, daily hours of operation from 8:00 a.m. to 10:00 p.m., a prohibition against the shooting of firearms and the availability of classrooms for community use.

Commissioner Dearman moved approval of the staff recommendation for a finding of consistency with the Master Plan. The motion was seconded by Commissioner Bierman and passed unanimously.

(Absent: Commissioners Christensen, Mignola)

R79.8B - LEASE OF ANDREW JACKSON SCHOOL, 2049 GROVE STREET, BETWEEN COLE AND CLAYTON STREETS, LOT 10 IN ASSESSOR'S BLOCK 1194, TO DEPARTMENT OF SOCIAL SERVICES FOR A SHELTER SCHOOL PROGRAM FOR 70 STUDENTS AND A CHILD PROTECTIVE SERVICES OFFICE.

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Mas Kakebe represented the Department of Social Services. He said that the proposed use was basically educational. No use will be made of the building over the night, he said.

Responding to Commissioner Dearman, Alec Bash, City Planning Coordinator, said that there had not been as much notification as in the previous case.

Responding to President Rosenblatt, Robert Passmore, Acting Zoning Administrator, said that lack of staff was the reason for no case report.

Responding to Commissioner Dearman, Mr. Kakebe said the students would range in ages from kindergarden to eighteen. He said that there would be five staff persons and that there would be a learning diagnostic function in addition to the educational function.

Larry Jacobson, representing the school district staff said that the program was to be very temporary and would be aimed at individual learning difficulty.

Mr. Passmore said that the staff recommendation was for a finding of consistency with the Master Plan.

Commissioner Dearman moved approval of the staff recommendation. The motion was seconded by Commissioner Bierman and passed unanimously.

(Absent: Commissioner Christensen, Mignola)

President Rosenblatt urged the City Planning Staff and Mr. Jacobson not to bring another vacant school site to the Commission without adequate case report materials.

PUBLIC HEARING ON AN INSTITUTIONAL MASTER PLAN FOR THE UNIVERSITY OF SAN FRANCISCO, INCLUDING THE FORMER LONE MOUNTAIN COLLEGE PROPERTY, THE WESTERN END OF THE BLOCK BOUNDED BY PARKER, McALLISTER, STANYAN AND TURK STREETS, MOST OF THE BLOCK BOUNDED BY FULTON AND PARKER STREETS, GOLDEN GATE AND MASONIC AVENUES AND THE SOUTHEAST CORNER OF FULTON AND SHRADER STREETS EXTENDING EASTWARD TO COLE STREET; LOT 3A IN ASSESSOR'S BLOCK 1107, LOTS 1, 1A AND 1B IN ASSESSOR'S BLOCK 1144, LOT 1 IN ASSESSOR'S BLOCK 1145 AND LOT 1 IN ASSESSOR'S BLOCK 1190.

Wayne Rieke, Planner IV, said that the Master Plan was in response to the Institutional Master Plan Ordinance of 1976. It introduces the matter, he said, and it provides the public with an opportunity to influence what is being planned. There is no approval or disapproval today.

Father John Lusciobo, President of the University of San Francisco, said that the University did not anticipate increased enrollment and increased number of people on campus.

John Pflueger, project architect for the Master Plan, said that the plan would accomodate changing needs and establish criteria to benefit both the University and the community.

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Mr. Pflueger said that there were no specific plans for expanding housing on campus, that with respect to parking, more off-street parking was no longer the only solution and that the University's immediate needs were for recreational and social facilities. Further, he said that there were no immediate development plans for Lone Mountain.

Mr. Pflueger concluded his presentation by saying that the Master Plan did not consider specifics of design with respect to any particular facility.

Mark Winogrand, Transit Planner III, said that the principal impacts of an expanding institution were parking, traffic and transit related. He said that the Plan called for a net increase in the number of parking spaces, but increased spaces will increase problems, he said.

Commissioner Mignola arrived at approximately 2:50 p.m.

Mr. Rieke said that Glenda Skiffer, Planner III, had indicated that the Plan needed more data on the types of household constituted by students of the institution.

Mr. Pflueger said that the institution would return in about six (6) months to request Conditional Use for an expansion of the library or a new swim-recreation facility.

Mr. Thompson, an area resident, said that without specific proposals, it seemed all too foggy.

Freda Lurch, an area resident, said that she would be concerned about a concentration of recreational facilities near Golden Gate and Masonic Avenues. Those facilities should be spread out, she said.

Margaret George, a resident near Golden Gate and Masonic Avenues, expressed concern about a concentration of recreational facilities in the area.

Bob Lee, a Parker Street resident, said that geological features dictated against building on the west side of Lone Mountain.

Mr. Kudlick, an area resident, expressed concern that the height of Aldrich Field be raised. He asked also about the type of screening which would be used on the perimeter of the field.

Mr. Wolfe, a resident of the immediate area, expressed concern about additional traffic. In fourteen (14) years, I have not been able to park in front of my house, he said.

Otto Skelling, a resident of Hemway Terrace, asked about possible noise which would be generated by a swimming pool building.

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Leo Murphy, an area resident, said that transportation had improved since the University acquired Lone Mountain. He said that some traffic problems were caused by commuters from other counties.

Commissioner Nakashima indicated that he would submit written comments at a later date.

Commissioner Bierman said that a more clear and thorough explanation of existing uses was needed. Further, she said that more discussion of the recreation-social facility was needed. She said that she could not understand drawings on pp. 64-69 and that tables on pp. 134 and 135 needed to be made more clear. Finally, she said that the Plan should discuss more thoroughly current uses at Lone Mountain.

Commissioner Mignola said that the Plan should discuss the geological and slope characteristics of the west side of Lone Mountain.

The Commission accepted the Master Plan and took no other action.

EE79.52 - CERTIFICATION OF FINAL ENVIRONMENTAL IMPACT REPORT FOR WASTE WATER SLUDGE MANAGEMENT PROJECT FOR THE BAY REGION AND THE CITY AND COUNTY OF SAN FRANCISCO. PROPOSAL FOR A TWO-STAGE COMPOSTING AND LANDFILLING PROJECT FOR SAN FRANCISCO SEWAGE SLUDGE DISPOSAL. ALTERNATIVE SITES IN THE CITY OF BRISHBANE AND IN THE CITY OF MOUNTAIN VIEW ARE PROPOSED FOR THE COMPOSTING OPERATION.

President Rosenblatt noted that the public hearing had been closed. He asked if there were any additional comments from the Commission.

Commissioner Bierman said that she was concerned that the dangers of composting were not being told. She said that there was not enough discussion of composting in the Environmental Impact Report. (EIR)

Henry Hyde represented the Waste Water Sludge Management Project.

Selina Bendix, Environmental Review Officer, said that the author of the EIR wanted a two-month delay to do additional work.

Commissioner Bierman moved that the matter be postponed to July 19, 1979. The motion was seconded by Commissioner Nakashima and passed unanimously. Absent: Commissioner Sklar.

At this time, the Commission returned to Item #5. (EE78.225), and Commissioner Matoff, representing the General Manager of Public Utilities, arrived.

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EE78.225 - CERTIFICATION OF FINAL ENVIRONMENTAL IMPACT REPORT FOR THE CHILDREN'S HOSPITAL OF SAN FRANCISCO, 3700 CALIFORNIA STREET, LOT 21 IN ASSESSOR'S BLOCK 1606.
PROPOSAL TO REMODEL EXISTING BUILDINGS, DEMOLISH OLD BUILDINGS AND RECONSTRUCT NEW BUILDINGS INCLUDING A 45-SPACE PARKING GARAGE TO BRING THE HOSPITAL INTO CONFORMITY WITH CURRENT SEISMIC SAFETY STANDARDS AND WITH STATE DEPARTMENT OF HEALTH LICENSING REQUIREMENTS.

President Rosenblatt noted that the public hearing had been closed. He made reference to Thomas More's letter dated May 23, 1979 and asked that it be included in final comments and responses.

Because they had not participated in earlier hearings, Commissioners Matoff and Dearman asked that they be permitted to abstain from voting.

Commissioner Mignola moved that Commissioners Dearman and Matoff be permitted to abstain. The motion was seconded by Commissioner Nakashima and passed unanimously.

Selina Bendix, Environmental Review Officer, said that the staff recommendation was that the Commission certify the final EIR.

Commissioner Bierman said that, because alternatives including merger were not discussed, she could not vote to certify.

Commissioner Mignola moved that the final EIR be certified with the inclusion of the Thomas More letter. The motion was seconded by Commissioner Nakashima.

Commissioner Bierman said that the letter, from Sue Hestor, dated May 21, 1979, should be included.

The motion and second were amended to include this letter in the final "Comments and Responses."

The motion passed by a vote of 3-2 as City Planning Commission Resolution No. 8276. Abstaining: Commissioners Dearman and Matoff. Voting Yes: Commissioners Mignola, Nakashima, Rosenblatt. Voting No: Commissioners Bierman and Starbuck.

DR79.7 - CONSIDERATION OF DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NO. 7810787 TO CONVERT THE LOWER STORY OF A TWO-STORY RESIDENTIAL BUILDING TO COMMERCIAL USE IN A C-2 (COMMUNITY COMMERCIAL) ZONING DISTRICT AT 184-186 PIXLEY STREET, NEAR FILLMORE STREET; LOT 20 IN ASSESSOR'S BLOCK 516.

A brief case report was available and summarized by Mary Anne Miller, Planner II.

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Robert Passmore, Acting Zoning Administrator, said that the primary concern was the possible impacts on the residential community along Pixley Street. Further, he said that there was neighborhood concern and opposition to the proposal. The staff recommendation, Mr. Passmore said, is that the Commission take Discretionary Review.

The staff recommendation to take Discretionary Review was moved by Commissioner Bierman, seconded by Commissioner Dearman and passed unanimously.

DR79.7 - DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NO. 7810787 TO CONVERT THE LOWER STORY OF A TWO-STORY RESIDENTIAL BUILDING TO COMMERCIAL USE IN A C-2 (COMMUNITY COMMERCIAL) ZONING DISTRICT AT 184-186 PIXLEY STREET, NEAR FILLMORE STREET; LOT 20 IN ASSESSOR'S BLOCK 516.

Gary Gavello, the applicant, said that when he purchased the building, he was told that it was a commercial lot. What he is proposing, he said, will not contribute to the neighborhood's problems. He said that the effect of a disapproval would be a change of zoning in mid-stream.

Responding to Commissioner Mignola, Mr. Gavello said that the building permit application was for the enlargement of windows, on Pixley Street to make the building more attractive.

Mrs. E. Casareto, a resident at 178 Pixley Street, said that the proposal would contribute to an already acute parking problem.

Mr. Passmore, before giving the staff recommendation, said that it was the staff's intent to bring to the Commission a policy resolution against new or expanded openings to commercial uses within fifty (50) feet of residential districts.

In this case, he said, the staff recommendation is for disapproval. It is too close to a residential district.

Commissioner Mignola said that there was also the issue of conversion of residential units.

Commissioner Bierman moved the staff recommendation for disapproval. The motion was seconded by Commissioner Dearman and passed unanimously as City Planning Commission Resolution No. 8277.

EE79.47 - APPEAL OF NEGATIVE DECLARATION FOR CONSTRUCTION OF A NEW BRANCH BANK TO REPLACE AN EXISTING BANK AT 1007 TARAVAL STREET; LOT 1, 2 AND 2A IN ASSESSOR'S BLOCK 2405.
(CONTINUED FROM THE MEETING OF APRIL 19, 1979)

Barbara Sahn, Assistant Environmental Review Officer, noted that the Commission had requested additional information on traffic and that the garage as presently proposed would result in increased traffic volume on both 20th Avenue

and Taraval Street, regardless of the location of access to the garage. The study, she said, suggested also that there would be no "back up" of traffic at the intersection.

Robert Reisch, an attorney representing residents of 20th Avenue, said that the study proved that there would be significant impacts on 20th Avenue.

Joe Balanessi, an attorney, represented the Traval-Parkside Improvement Association.

Robert Kuhn, a resident of 20th Avenue near Taraval, said that the garage would attract cars and people for things other than banking.

Dennis Hathaway, representing the Bank of America Premises Corporation, said that a twenty-five (25) space garage was not large. He said that the Bank's proposed garage would serve the community and that Monday through Thursday, it would open at 10:00 a.m. and close at 3:00 p.m.

Rai Y. Okamoto, Director of Planning, said that the staff recommendation was to amend the preliminary negative declaration to reflect the data included in the traffic study and to include a mandatory mitigation measure which would provide for hours of operation of the garage of 10:00 a.m. to 3:00 p.m. Further, he said that the staff recommendation was for a finding of no significant impact and... denial of the appeal.

Commissioner Bierman moved that the staff recommendation for denial of the appeal be approved. The motion was seconded by Commissioner Dearman and passed unanimously as City Planning Commission Resolution No. 8278.

DR78.82 - CONSIDERATION OF DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NO. 7812898 AT 1007 TARAVAL STREET.
PROPOSAL TO BUILD A NEW BRANCH BANK FACILITY OF APPROXIMATELY 15,500 SQUARE FEET AND AN UNDERGROUND PARKING GARAGE FOR 25 CARS ON A TOTAL SITE OF 130 FOOT FRONTAGE TO INCLUDE LOTS 1, 2 and 2A IN ASSESSOR'S BLOCK 2405, AFTER DEMOLITION OF EXISTING 6,000 SQUARE FOOT BRANCH BANK FACILITY, AND TWO ADJACENT COMMERCIAL PROPERTIES.
(CONTINUES FROM THE MEETING OF APRIL 19, 1979)

Robert Passmore, Acting Zoning Administrator, said that the staff recommendation was that the Commissioner take Discretionary Review.

Commissioner Bierman moved that the Commission take Discretionary Review. The motion was seconded by Commissioner Dearman and passed unanimously.

MAY 24, 1979

DR78.82 - DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NO. 7812898 AT 1007 TARAVAL STREET.

PROPOSAL TO BUILD A NEW BRANCH BANK FACILITY OF APPROXIMATELY 15,500 SQUARE FEET AND AN UNDERGROUND PARKING GARAGE FOR 25 CARS ON A TOTAL SITE OF 130 FOOT FRONTAGE TO INCLUDE LOTS 1, 2 AND 2A IN ASSESSOR'S BLOCK 2405, AFTER DEMOLITION OF EXISTING 6,000 SQUARE FOOT BRANCH BANK FACILITY, AND TWO ADJACENT COMMERCIAL PROPERTIES.

(CONTINUED FROM THE MEETING OF APRIL 19, 1979)

A case report had been prepared. It was reviewed by Mary Anne Miller, Planner II. Ms. Miller concluded her presentation by saying that, from a staff viewpoint, the alternative schemes varying in terms of access, total square footage and retail frontage were all excessive.

George Matsumoto, the project architect, said that he was convinced that the proposed building, could not be smaller. The bank's space requirements are at a minimum, he said. Mr. Matsumoto said that the bank had agreed to the introduction of retail uses along Taraval and that access schemes from both Taraval and 20th Avenue had been explored.

Mark Winogrand, Transit Planner III, said that access on Taraval was unacceptable to both the Municipal Railway and the Interdepartmental Staff Committee on Traffic and Transportation.

Steve Corbett represented the Bank America Premises Corporation.

Mr. Passmore noted that access from Taraval would conflict with Transit First Policy in terms of interference with a transit line. He noted, also, that the introduction of a traffic generating use on a transit preferential street was in conflict with the guidelines for branch banks and savings and loan offices in C-1 and C-2 districts.

With respect to access from 20th Avenue, Mr. Passmore noted the Commission's intent to consider a policy resolution against new openings, to commercial uses, within fifty (50) feet of residential districts.

Mr. Passmore said that the staff recommendation was for disapproval. He cited the size of the proposed facility and the attendant problems of traffic parking and congestion which would result therefrom.

Robert Reisch, an attorney, represented the residents of 20th Avenue.

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Joe Balanessi, an attorney, represented the Parkside District Improvement Club and the Taraval Parkside Neighborhood Association. Mr. Balanessi said that Mr. Reno Bei of the Muni's Transit Improvement Program had indicated that public transit would be significantly effected by a garage entrance on Taraval Street. Further, Mr. Balanessi said that the area was struggling for survival because of auto congestion and that the garage would do much to help the situation.

With respect to the size of the proposed facility, Mr. Balanessi said that the present size was insufficient and that the proposed size was not out of line. He said that the proposed retail uses for Taraval were not necessarily needed.

Commissioner Dearman moved the staff recommendation for disapproval of the permit as filed and directed the applicant to consider the alternative of a smaller facility. The motion was seconded by Commissioner Bierman. She said that the corner and neighborhood would be severely impacted and that only an alternative, to the proposal, would be in order.

At this time, Commissioner Dearman left the meeting. Commissioner Starbuck said that he would move Commissioner Dearman's motion because she had to leave. Commissioner Bierman said that she would second the motion.

Commissioner Starbuck said that the proposal violated all concepts of land use. He thanked the architect and said that the architect could not have pleased everyone.

The motion for disapproval passed unanimously as City Planning Resolution No. 8279. Absent: Commissioner Dearman.

S78.2 - 1007 TARAVAL STREET, SOUTHWEST CORNER OF 20TH AVENUE, LOT 1 IN ASSESSOR'S BLOCK 2405.

ABOLITION OF A 15-FOOT SET BACK ALONG 20TH AVENUE.

(CONTINUED FROM THE MEETING OF APRIL 19, 1979)

Robert Passmore, Acting Zoning Administrator, said that no set-back existed elsewhere at the corner. The staff, he said, would recommend abolition of the set-back. He indicated, also, that the Commissioner might wish to continue the matter until the time at which the permit disapproval is appealed.

Commissioner Bierman moved disapproval of the proposal to abolish the set-back. The motion was seconded by Commissioner Starbuck and passed unanimously as City Planning Commission Resolution No. 8280. Absent Commissioner Dearman.

The meeting adjourned at 8:30 p.m.

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6/7/79

SAN FRANCISCO
CITY PLANNING COMMISSION
SUMMARY AND MINUTES
OF THE
REGULAR MEETING
HELD
THURSDAY, JUNE 7, 1979
ROOM 282, CITY HALL
1:30 P.M.

DOCUMENTS DEPT.

JUN 9 1980

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The City Planning Commission met pursuant to notice on Thursday, June 7, 1979, at 1:30 p.m. in Room 282, City Hall.

PRESENT: Toby Rosenblatt, President; Ina F. Dearman, Vice-President; Susan J. Bierman; John Christensen; Joseph Mignola; Yoshio Nakashima; and Charles Starbuck; members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; Robert Passmore, Acting Zoning Administrator; George Williams, Assistant Director of Planning (Planning and Programs); Selina Bendix, Environmental Review Officer; Alec Bash, City Planning Coordinator; Marie Zeller, Planner IIIa; Jim Miller, Planner II; Eva Levine, Planner II; and Lee Woods, Secretary.

Gerald Adams represented the San Francisco Examiner.

Maitlund Zane represented the San Francisco Chronicle.

Approval of Minutes

The minutes of the Regular Meeting of May 31, 1979 were approved unanimously.

Current Matters

A. Director's Report

DISCUSSION OF AMENDMENT OF NEGATIVE DECLARATION OF NORTH OF MARKET STREET RAP EEF77.251 TO DELETE RENT SURVEY AS A MANDATORY MITIGATING MEASURE.

Eva Levine, Planner II, Reported that the Finance Committee of the Board of Supervisors was considering the withdrawal of funds which had been set-aside for the North of Market Rehabilitation Assistance Program (RAP) Rent Survey.

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Selina Bendix, Environmental Review Officer, said that the City Attorney's Office had advised informally that the Rent Survey might be inappropriate as a mandatory mitigating measure and could be challenged. Dr. Bendix noted that defunding of the Rent Survey would result in an Environmental Impact Report (EIR) if the RAP program was to proceed. She said that the Commission could delete the mitigation measure, add a new measure or change the text of the body of the Negative Declaration.

Commissioner Bierman said that the mitigation measure was one of the principal reasons for her having not voted for an EIR.

Moiria So, representing the Mayor's Office of Community Development said that an EIR requirement could effect an allocation of Section 8 housing units and Community Development Block Grant Programs targeted for the area.

Rai Okamoto, Director of Planning, said that the staff would be concerned if the Section 8 allocation were jeopardized. Further, he said that possible rent control, a possible city wide vacancy survey and the reassignment of the funds to other housing matters in the North of Market Street reduced the need for the Rent Survey.

Andrea Saltzman, representing San Francisco Neighborhood Legal Assistance, said that in her opinion the survey did not justify a \$100,000 expenditure. She said that she had indicated to the Finance Committee that there would not be a lawsuit if the survey were defunded.

Hank Wilson, a property owner in the North of Market Street RAP area said that there was much change in the area and that the survey was needed.

Richard Livingston, President of the North of Market Planning Council, said that the Citizens Advisory Committee (CAC) to the North of Market Street RAP should be permitted to hear the matter before any decision was made.

Jim Patton, Director of the North of Market Senior Service Center, said that mitigation should be required for RAP approval. Tools, to assess the program's impact, would be needed, he said.

Leroy Looper, Director of Reality House and a member of the RAP Board, said that the survey was needed.

Commissioner Starbuck moved that the matter be continued to provide time for CAC review. Also, he requested that the staff determine what were possible alternative uses for the funds.

The motion was seconded by Commissioner Mignola and passed unanimously.

The Director indicated that the Commission had, before it, a resolution which would authorize the Director to enter into a work-study agreement with the University of California at Berkeley. The agreement, he said provides for an expenditure not to exceed \$1000 for two work-study students.

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Commissioner Mignola moved approval of the draft resolution. The motion was seconded by Commissioner Nakashima and passed unanimously as City Planning Commission Resolution NO. 8290.

CU79.13 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE AT PIER 1 OR PIER 3, THE EMBARCADERO EAST OF WASHINGTON AND JACKSON STREETS, LOT 1 OR 3 IN ASSESSOR'S BLOCK 9900, FOR PERMANENT MOORING OF THE "DELTA KING" SHIP TO PROVIDE RETAIL, SERVICE AND OFFICE USES, NON-MARITIME USES IN THE NORTHERN WATERFRONT SPECIAL USE DISTRICT NO. 1, IN A C-2 (COMMUNITY BUSINESS) DISTRICT.

George Williams, Assistant Director of Planning, indicated that a permanent berth would have to be considered in the context of the Total Design Plan for the North Eastern Waterfront Survey Area (NEWSA). We would propose a informational presentation today and a continuation of this matter to July 5, 1979, he said.

Harry Lee, the project sponsor, was present.

Richard Gryziec, an architect, represented the project sponsor and provided the Commission a brief description of the proposal.

Neal Mallik said that the proposal was excellent.

Commissioner Dearman moved that the matter be continued to July 5, 1979. The motion was seconded by Commissioner Mignola and passed unanimously.

CU79.26 - REQUEST FOR CONDITIONAL USE AUTHORIZATION AT 2777 FOLSOM STREET, EAST SIDE BETWEEN 23RD AND 24TH STREETS, LOT 25 IN ASSESSOR'S BLOCK 3640, FOR REMOVAL OF 1980 TERMINATION DATE OF A NON-CONFORMING USE OFFICE AND SHOE REPAIR SUPPLIES STORAGE FACILITY, IN AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT.

A case report was available and summarized by Jim Miller, Planner II.

President Rosenblatt asked if anyone wished to testify. There was no response.

Robert Passmore, Acting Zoning Administrator, said that there were a number of non-conforming uses in the Mission Area. There are a number of conflicting policies and we'd like to review them, he said.

Commissioner Mignola moved that the matter be continued to July 5, 1979. The motion was seconded by Commissioner Christensen and passed unanimously.

CU79.30 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE AT 2400 - 24TH STREET, NORTHWEST CORNER AT VERMONT STREET, LOT 10 IN ASSESSOR'S BLOCK 4214, FOR A VETERINARY CLINIC, IN A C-2 (COMMUNITY BUSINESS) DISTRICT.

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A case report was available and summarized by Jim Miller, Planner II. Mr. Miller said that the staff recommendation was for approval with conditions.

Tasha Cullen, a resident of the building, said that there would be noise, odor and health hazards from waste products. She said that she was opposed.

Joseph Killian, the project sponsor, said that he had retained an acoustical engineer to assist in controlling noise, and he said that there were proposed conditions to mitigate against odor emission and waste products.

Mr. Mattioni, a resident of the immediate area said that, if it were not a kennel, he was not opposed.

Commissioner Nakashima moved approval of the staff recommendation. The motion was seconded by Commissioner Dearman and passed unanimously as City Planning Commission Resolution NO. 8291.

CU79.16 - (DR): REQUEST FOR CONDITIONAL USE AUTHORIZATION AT 7025 CALIFORNIA STREET, AT LINCOLN PARK, WEST OF 32ND AVENUE, LOT 20 IN ASSESSOR'S BLOCK 1401, FOR A GUEST HOUSE WITH 17 BEDROOMS FOR THE ELDERLY, IN AN RM-1 (MIXED RESIDENTIAL, LOW DENSITY) DISTRICT, INITIATED BY THE BOARD OF SUPERVISORS FOR AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT.

Robert Passmore, Acting Zoning Administrator, said that the staff recommendation was for withdrawal without prejudice.

Commissioner Dearman moved approval of the staff recommendation. The motion was seconded by Commissioner Christensen and passed unanimously as City Planning Commission Resolution NO. 8292.

CU79.31 - REQUEST FOR CONDITIONAL USE AUTHORIZATION AT 2238 VALLEJO STREET NORTH SIDE BETWEEN WEBSTER AND FILLMORE STREETS, LOT 7 IN ASSESSOR'S BLOCK 557, FOR CONVERSION OF AN 18-ROOM ROOMING HOUSE TO THREE DWELLING UNITS, ON A LOT WITH AN AREA OF 5,500 SQUARE FEET, WHEN 1,500 SQUARE FEET IS REQUIRED PER DWELLING UNIT, IN AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT.

President Rosenblatt indicated that there was a possible conflict of interest situation. He asked that the Commission permit him to abstain.

Commissioner Bierman moved that President Rosenblatt be permitted to abstain. The motion was seconded by Commissioner Mignola and passed unanimously.

A case report was available and summarized by Jim Miller, Planner II.

Kirby Fitzpatrick represented the applicants. Mr. Fitzpatrick said the proposed three unit building was far more in conformity with the neighborhood than an 18-room rooming house.

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Tom Potts, an architect, represented Arthur Allbright, a property owner in the block. Mr. Potts said that he was opposed because the parking problem was not being solved. He said that there were not three existing spaces. He said that it should be feasible to slope a driveway into the basement.

Arthur Allbright, a property owner in the block, said that no attempt was being made to correct the parking situation.

Kenneth Brown, a resident at 2280 Vallejo Street said that parking was a problem in the neighborhood and that the paved set-back area was an eyesore.

Norman Rosenblatt, the project sponsor, said that he had not realized that there was such intense neighborhood concern. He said that it would be extremely difficult to provide three parking spaces in the basement.

Commissioner Christensen noted that a reduction of units to two units would have no effect on the number of spaces required.

Rcbert Passmore, Acting Zoning Administrator, said that the staff recommendation was for approval of a three-unit building with two parking spaces in the basement of the building. Access would come from two driveways at each end of the building, he said.

Commissioner Christensen moved approval of the staff recommendation. The motion was seconded by Commissioner Bierman and passed by a vote of 4-2 as City Planning Commission Resolution No. 8293.
(Voting yes: Commissioners Bierman, Christensen, Mignola, Nakashima; Voting no: Commissioners Dearman, Starbuck; Abstained: Commissioner Rosenblatt)

CU79.27 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE AT 3975 ALEMANY BOULEVARD, AT CHARLES, NORCHESTER AND NIAN TIC STREETS, ALL OF ASSESSOR'S BLOCK 7126A AND LOT 28 IN ASSESSOR'S BLOCK 7151, FOR MODIFICATION OF PRIOR STIPULATIONS TO ALLOW SHOPPING CENTER MODIFICATIONS FOR A THIRD TENANT, WITH AN ENLARGED TRUCK SERVICE AREA, OUTDOOR PLANT NURSERY, NEW SIGNS, CLOSURE OF ROOF-TOP PARKING AREA, AND PROPOSED WESTBOUND LEFT-TURN LANE ON ALEMANY BOULEVARD, IN A C-2 (COMMUNITY BUSINESS) DISTRICT.

A case report was available and summarized by Jim Miller, Planner II.

Chris Hoffman, Vice-President for Development, represented Payless Stores. Mr. Hoffman described the proposal.

Commissioner Dearman left the meeting at approximately 5:40 p.m.

With respect to the proposed 35-Foot free-standing pylon sign, Commissioner Bierman said that it was her belief that the sign would not have the effect desired by Payless.

Carl Wicker, a resident of the immediate area, said that he had the signatures of 70 residents who wanted sufficient lighting of the parking area.

Benjamin Abbington, a resident at 245 St. Charles Street said that he was opposed to any alteration or expansions. He expressed concern about the number of proposed signs and their heights.

Mrs. Davis, a homeowner on St. Charles Street, said that she was opposed.

John Martinez, a resident at 34 Ramsell Street, said that his concern was the intersection of Arch Street and Alemany Boulevard. He expressed concern that additional traffic might make the intersection less safe.

Robert Passmore, Acting Zoning Administrator, said that the staff recommendation was for approval with conditions including a condition prohibiting the erection of the 35-Foot pylon sign at the rear of the facility.

Commissioner Starbuck moved approval of the staff recommendation with the provision that there be no 35-Foot pylon sign, that non-projecting signs be limited to two and that the Department of City Planning explore, with the Department of Public Works, ways to improve the intersection of Arch Street and Alemany Boulevard. The motion was seconded by Commissioner Bierman and passed unanimously as City Planning Commission Resolution NO. 8294.
(Absent: Commissioner Dearman)

CU79.33 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE AT SOUTHWEST CORNER OF TAYLOR AND ELLIS STREETS, LOT 1 IN ASSESSOR'S BLOCK 332, FOR TEMPORARY AIRPORT BUS TERMINAL.

Stephen Leonoudakis, the project sponsor, introduced the design sketch of a proposed facility and used those sketches to describe the facility and its operations. He stressed that 82% of all outbound traffic was non-resident and did not arrive by bus. Mr. Leonoudakis concluded by saying that he intended to return immediately to file an amendment to his application, which would permit him to proceed with a permanent facility.

Responding to President Rosenblatt, Mr. Leonoudakis said that his intent was to acquire design approval from the Commission.

Robert Passmore, Acting Zoning Administrator, asked Mr. Leonoudakis if the proposed facility could be amortized over a period of five years. Mr. Leonoudakis said that his preference would be a temporary facility approved for a period of ten years.

Responding to Commissioner Christensen, Mr. Leonoudakis said that construction could be phased in such a way that the terminal, itself, could be completed at the earliest possible time.

Will Rogers, operator of the Mark Twain Hotel, said that a convenient location was needed for such a facility.

Richard Livingston, President of the North of Market Street Planning Council, said that the Council's concern was that there be a park in the neighborhood. He said that the Council would want a well designed facility. We would be concerned about pollution, in the form of bus emissions, proper lighting of the facility, appropriate landscaping and the designation of the remaining six lots as open space.

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Mr. Passmore said that open space could be initiated only if land is already publically owned.

Betty Glandis, of the Citizen's Open Space Advisory Committee, said that the Committee was satisfied that citizens in the area wanted the six remaining lots as a substitution for the subject lot.

Commissioner Bierman moved that the staff be instructed to proceed administratively to find that acquisition of the six lots for open space was in conformity with the Master Plan. The motion was seconded by Commissioner Mignola and passed unanimously. Commissioner Dearman was absent.

The Director of Planning, Rai Okamoto, indicated that the applicant should understand that, in the context of a future hearing for a permanent conditional use, the issue of locating the facility within the Transbay Terminal would be raised.

Robert Passmore, Acting Zoning Administrator, said that environmental evaluation had not been sufficient for consideration of any semi-permanent or permanent facility. Mr. Passmore said that the staff recommendation was for approval of a temporary facility with conditions. The conditions would include, he said, authorization for one year, construction of a windbreak to be completed within one month and joint effort with the Department in seeking a permanent solution.

Mr. Leonoudakis said that he could not use a one year authorization and that he would not build a tent.

President Rosenblatt said that the difficulty was that the staff recommendation was based on plans other than those submitted today.

The present plans were shown in the press and these are the plans the public expects us to approve.

President Rosenblatt said that the Commission would not be prepared to explore a permanent facility within six weeks. There is the issue of the facility's relationship to transit, the service area is a limited one and the proposed approach leaves out the Airport Commission, he said.

Mr. Leonoudakis and Mr. Passmore agreed that the "lay-out", in each set of plans, was the same.

President Rosenblatt said that he was not sure that Mr. Leonoudakis would want the location as a permanent one.

Commissioner Christensen moved that the application be approved with conditions including a provision for a five(5) year authorization. The motion was seconded by Commissioner Mignola and passed by a vote of 5-1 as City Planning Commission Resolution NO. 8295.

(Voting yes: Commissioners Bierman, Christensen, Mignola, Rosenblatt, Starbuck; Voting no: Commissioner Nakashima; Absent: Commissioner Dearman)

CU79.29 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE ON NORTHEAST SIDE OF BURNETT AVENUE BETWEEN IRON AND COPPER ALLEYS, NORTH OF GARDEN-SIDE DRIVE, A THROUGH LOT TO GRAYSTONE TERRACE, LOT 1 IN ASSESSOR'S BLOCK 2718A, FOR 20 DWELLING UNITS IN 10 DUPLEX TOWNHOUSES ON A LOT WITH AN AREA OF APPROXIMATELY 38,000 SQUARE FEET, WHEN 1,500 SQUARE FEET IS REQUIRED PER DWELLING UNIT, IN AN RH-2 (HOUSE, TWO FAMILY) DISTRICT.

SUMMARY AND MINUTES OF THE REGULAR MEETING

JUNE 7, 1979

President Rosenblatt indicated that the Commission would consider simultaneously item No. 11 (RS79.45) and item No. 12 (R79.15) both of which relate to CU79.29, hehe said.

A case report was available and summarized by Alec Bash, City Planning Coordinator.

Barbara Shorenstein, the project sponsor, described the proposal. She said that ample guest parking would be provided, that fewer units than possible were being proposed, that the project had been set into the hillside to avoid view blockage and that gross square footage had been reduced to permit a lowering of the roof line.

Romona Allbright said that she opposed the project. She cited building bulk, density and congestion as reasons. She urged fewer and smaller units.

Greg Garr opposed the project and urged retention of open space.

Gary Faldesey opposed the project. He cited building bulk and view blockage. He said that the building should be broken up and landscaping inserted.

Robert Passmore, Acting Zoning Administrator, said that the staff recommendation was for approval with conditions. This recommendation, he said, stems from a long association with this project.

Commissioner Bierman moved that the matter be continued in the hope that something more appropriate could be worked out, she said. She said that staff should explore the possibility of fewer units and the insertion of more open space. The motion to continue the matter to July 5, 1979 was seconded by Commissioner Starbuck and passed unanimously. The motion included item No. 10 (CU79.29), item No. 11 (RS79.45) and item No. 12 (R79.15).

CU79.10 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE AT THE NORTHWEST AND SOUTHWEST CORNERS OF FRANCISCO AND KEARNY STREETS, LOT 1A IN ASSESSOR'S BLOCK 38 AND LOT 16 IN ASSESSOR'S BLOCK 55, FOR A PLANNED UNIT DEVELOPMENT (WHARF PARK I AND II) FOR 233 DWELLING UNITS AND 45 PARKING SPACES IN ONE EXISTING AND TWO NEW BUILDINGS, REQUIRING EXCEPTIONS FOR DENSITY, OFF-STREET PARKING, REAR YARDS AND USABLE OPEN SPACE, IN THE NORTHERN WATERFRONT SPECIAL USE DISTRICT NO. 3, IN A C-2 (COMMUNITY BUSINESS) DISTRICT. (PREVIOUSLY ADVERTISED FOR MAY 17, 1979, WITH 57 PARKING SPACES) (CONTINUED FROM THE MEETING OF MAY 17, 1979)

President Rosenblatt indicated that item No. 14 (R79.19) would be considered simultaneously.

A case report was available and summarized by Alec Bash, City Planning Coordinator.

SUMMARY AND MINUTES OF THE REGULAR MEETING

JUNE 7, 1979

Granville Nathan, a resident of Francisco Street, said that residents wanted more landscaped open space and parking. Traffic congestion is our main problem, he said, we need parking.

Charles Slutzkin, representing the project sponsor, said that parking was being provided at a ratio of 1:10 for the elderly and at a ratio of 1:1 for families.

Thomas Callinan , a project sponsor, said that proposed parking had been reduced twelve (12) spaces because it had been learned that a retaining wall, at the periphery of the site could not be removed.

Responding to Commissioner Bierman's question about the retention of the units, Mr. Callinan agreed that he would accept a condition requiring no conversion of the units to condominiums for a period of twenty (20)years.

Robert Katz, of the Telegraph Hill Dwellers, said that parking provision needed more investigation, and he urged the Commission to get Commitments, in terms of conditions, well defined.

Robert Passmore, Acting Zoning Administrator, said that the staff recommendation was for approval with conditions.

After the Commission agreed to a number of specific language changes in a draft resolution, Commissioner Starbuck moved approval of the staff recommendation. The motion was seconded by Commissioner Nakashima and passed unanimously as City Planning Commission Resolution NO. 8296.
(Absent: Commissioner Dearman)

With respect to item No. 14 (R79.19), Commissioner Nakashima moved that the Director be authorized to report that the matter is in conformity with the Master Plan. The motion was seconded by Commissioner Bierman and passed unanimously.
(Absent: Commissioner Dearman)

The meeting adjourned at 10:20 p.m.

Respectfully submitted,

Lee Woods
Secretary

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DOCUMENTS DEPT.

JUN 19 1979

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SAN FRANCISCO
CITY PLANNING COMMISSION
SUMMARY AND MINUTES
OF THE
REGULAR MEETING
HELD
THURSDAY, JUNE 14, 1979
ROOM 282, CITY HALL
2:00 P.M.

The City Planning Commission met pursuant to notice on Thursday, June 14, 1979 at 2:00 p.m. in Room 282, City Hall.

PRESENT: Toby Rosenblatt, President; Ina F. Dearman, Vice-President; Susan J. Bierman; John Christensen; Joseph Mignola; Yoshio Nakashima; and Charles Starbuck; members of the City Planning Commission.

ABSENT: None

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; George Williams, Assistant Director of Planning-Plans and Programs; Robert Passmore, Acting Zoning Administrator; Wayne Rieke, Planner IV; Barbara Sahm, Assistant Environmental Review Officer; Charles Gill, City Planning Coordinator; Sandra Malandra, Planner II; Eva Levine, Planner II; and Lee Woods, Secretary,

Gerald Adams represented the San Francisco Examiner. Mike Mewhinney represented the San Francisco Progress.

Approval of Minutes

The minutes of the Regular Meeting of June 7, 1979 were approved unanimously.

Current Matters

A. Director's Report

CONSIDERATION OF RESOLUTION MODIFYING PLANNING COMMISSION RESOLUTION NO. 7818 TO DELETE THE RENT SURVEY AS A MANDATORY MITIGATING MEASURE FROM THE NEGATIVE DECLARATION EE77.251 FOR THE NORTH OF MARKET STREET RAP.

The Director noted that the Commission had continued this matter to permit the North of Market Street Rehabilitation Assistance Program (RAP) Citizens Advisory Committee (CAC) to review the proposed deletion of funding for the rent survey. The CAC has met, he said, and it voted 6-2 to support deletion of funding.

SUMMARY AND MINUTES OF THE REGULAR MEETING

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Richard Livingston, President of the North of Market Planning Coalition, said that the Coalition supported the rent survey. If there is to be no rent survey, require an Environmental Impact Report, he said. Mr. Livingston said that RAP had to be monitored. RAP, he said, could result in a severe reduction in the number of low and moderate income hotel housing units in the area.

Mark Forrester, director of an escort service for seniors and a member of the planning coalition, said that there was need for a vehicle to get a continuous assessment of the effects of RAP.

Skip Wild, a member of the CAC, said that he was the only tenant present when the CAC voted. Mr. Wild said that either an EIR or the rent survey was needed.

Jim Patton, representing the North of Market Street Senior Service Center, said that the center supported the need for the rent survey, but was concerned about the possible loss of Section 8 housing units.

George Williams, Assistant Director of Planning, said that the Commission might wish to urge the Board of Supervisors, by resolution, to refer the matter back to the Finance Committee. Let the Committee take public testimony, he said, and it may conclude that the rent survey is necessary. Rai Okamoto, Director of Planning, said that this was the staff recommendation.

Commissioner Dearman said that she would urge the Commission to vote to retain the survey.

Commissioner Bierman said that it should be kept in mind that rent control could possibly have little effect in the neighborhood. In terms of a common type of tenancy, it's a different kind of neighborhood, she said.

Commissioner Bierman moved the staff recommendation and added that the resolution should stress the Commission's belief that the survey was needed.

President Rosenblatt said that the Finance Committee should be made aware of the full scope of the rent survey.

The motion was seconded by Commissioner Dearman and passed unanimously as City Planning Commission Resolution No. 8297.

EE78.207 - CONSIDERATION OF CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE FEDERAL RESERVE BANK OF SAN FRANCISCO, AREA GENERALLY BOUNDED BY MARKET, MAIN, MISSION AND SPEAR STREETS, PORTIONS OF ASSESSOR'S BLOCK 3712. PROPOSAL TO CONSTRUCT A 12-STORY STRUCTURE FOR BANK HEADQUARTERS, LEASED OFFICE SPACE, INCLUDING PEDESTRIAN ARCADE AND MONEY MUSEUM.

Sandra Malandra, Planner II, noted that the Commission had been given copies of the Comments and Responses.

SUMMARY AND MINUTES OF THE REGULAR MEETING

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Commissioner Bierman said that she was concerned about the reuse of buildings which the bank would vacate.

Robert Passmore, Acting Zoning Administrator, said that the Conditional Use hearing might be a more appropriate context within which to deal with Commissioner Bierman's concerns.

Mr. Passmore said that the staff recommendation was to certify the Environmental Impact Report and to find that there could be no significant impact.

The staff recommendation was moved by Commissioner Dearman, seconded by Commissioner Nakashima and passed unanimously as City Planning Commission Resolution No. 8298.

ZM79.11 - REQUEST FOR RECLASSIFICATION OF PROPERTY ON A PORTION OF THE BLOCK BOUNDED BY MARKET, SPEAR, MISSION AND MAIN STREETS, PORTIONS OF LOTS 15 AND 16 IN ASSESSOR'S BLOCK 3712, FROM A 150-X HEIGHT AND BULK DISTRICT TO A HEIGHT AND BULK DISTRICT TO BE DETERMINED BETWEEN 200-X AND 600-I, IN A C-3-0 (DOWNTOWN OFFICE) DISTRICT.

The Commission agreed to consider simultaneously item no. 4 (CU78.11).

A case report was available. It was summarized by Charles Gill, City Planning Coordinator.

John Balles, President of the Federal Reserve Bank of San Francisco, described the Bank's proposal. He said that the new building would permit consolidation of junctions and replacement of out-moded facilities. He said that the project architect had been instructed to make the building harmonize with lower Market Street.

John Bassett, the project architect, said that the site was ideal in terms of its relation to transit and the existing pattern of one-way streets.

Mr. Bassett said that the proposed new building would create a family of three buildings including the building to the North and the building to the South. It should strengthen the urban fabric of lower Market Street, he said.

Sue Hestor said that the overriding issue was the loss of an existing housing resource.

Rai Okamoto, Director of Planning, said that the Board of Supervisors would consider a mechanism designed to address the issue of the loss of low and moderate income housing units. In the context of Condominium Conversions, the Board will consider a system of "in lieu payments". In terms of this system, a developer could be required to contribute

SUMMARY AND MINUTES OF THE REGULAR MEETING

JUNE 14, 1979

to a development fund for low and moderate income units if his/her other proposal would result in the lost of these types of housing units.

Further, the Director said that the applicant had provided relocation assistance to all tenants displaced from the building. He said that one possibility was to require a developer to assume responsibility for the difference between the cost of a unit as it presently exists and the cost of a relocation unit.

President Rosenblatt said that it occurred to him that the director's suggestion would be of a precedent setting nature. It sounds to me more like a policy judgement which should be submitted to the Mayor or Board of Supervisors, he said.

Further, he said that the precedent would be set on the basis of one condition on one permit. It is entirely inappropriate, he said. You would be making commercial developers responsible for low and moderate income housing.

President Rosenblatt said that he was not questioning the substance of the concept of an "in lieu payments" system. I am commenting on this particular process, he said.

Commissioner Starbuck said that he agreed with President Rosenblatt that the suggestion had come too late, but he said it should be understood that we are talking about the action of a public, not private, agency and the effect of that action on the housing stock.

Commissioner Bierman said that the letter from Assemblyman Agnos was testimony. It raised the issue and makes our discussion appropriate, she said. She said that a condition of the type discussed, was in keeping with actions taken by the Commission in the past. It is not too late, she said. They need still our approvals of what they wish to do.

Robert Passmore, Acting Zoning Administrator, said that the staff recommendation was for approval of the application for reclassification (ZM79.11), we recommend a height and bulk district of 200-X, he said.

Commissioner Nakashima moved approval of the staff recommendation for approval. The motion was seconded by Commissioner Christensen and passed by a vote of 6-1 as City Planning Commission Resolution NO. 8298.

A motion by Commissioner Bierman, to rescind this vote was seconded by Commissioner Dearman and failed by a vote of 3-4.
(Voting yes: Commissioners Bierman, Dearman, Starbuck; Voting no: Commissioners Christensen, Mignola, Nakashima, Rosenblatt).

Commissioner Bierman moved that the Conditional Use application

SUMMARY AND MINUTES OF THE REGULAR MEETING

JUNE 14, 1979

by the Federal Reserve Act, he said. I know of no statutory provision to permit us to spend money for housing.

Mr. Balles said that the Bank had fought hard to remain in San Francisco. We'd like to see the proposal in writing, he said.

CONSIDERATION OF RESOLUTION ENDORSING GUIDELINES FOR CONDITIONAL USE AUTHORIZATION IN LANDMARKS.

Commissioner Dearman moved approval of the draft resolution endorsing the guidelines. The motion was seconded by Commissioner Starbuck and passed unanimously as City Planning Commission Resolution NO. 8299.

CU78.34 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE FOR CHILDREN'S HOSPITAL OF SAN FRANCISCO, 3700 CALIFORNIA STREET, IN THE BLOCK BOUNDED BY CALIFORNIA, CHERRY, SACRAMENTO AND MAPLE STREETS, ASSESSOR'S BLOCK 1016, FOR A FOUR-PHASE REMODELING AND RECONSTRUCTION PROJECT IN WHICH THE REPLACEMENT BUILDING WOULD EXCEED THE 110-FOOT MAXIMUM LENGTH AND THE 140-FOOT MAXIMUM DIAGONAL DIMENSION PERMITTED FOR THAT PART OF THE BUILDING WHICH EXCEEDS 65 FEET IN HEIGHT, IN AN 83-E HEIGHT AND BULK DISTRICT, AND A PLANNED UNIT DEVELOPMENT TO AUTHORIZE A FLOOR AREA RATIO IN EXCESS OF THE 1.8 TO ONE PERMITTED IN THIS RH-2 (HOUSE, TWO-FAMILY) AND RM-2 (MIXED RESIDENTIAL, MODERATE DENSITY) DISTRICT.

Robert Passmore, Acting Zoning Administrator, indicated that, by letter, the applicant had requested a ninety (90) day extension of the period during which the Commission could act upon the application. The staff recommends that the extension be granted and that the matter be postponed to August 23, 1979, Mr. Passmore said.

Don Hordick, representing the Westbay Health Systems Agency, requested and the Commission agreed to permit the Agency to review any subsequent changes in the application.

Commissioner Dearman moved the staff recommendation for continuance to August 23, 1979. The motion was seconded by Commissioner Nakashima and passed unanimously.

B. Commissioner's Questions and Matters

The Commission agreed to schedule an Implementation Committee meeting on Thursday, June 28, 1979.

The meeting adjourned at 6:15 p.m.

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SAN FRANCISCO
CITY PLANNING COMMISSION
SUMMARY AND MINUTES
OF THE
REGULAR MEETING
HELD
THURSDAY, JUNE 21, 1979
ROOM 282, CITY HALL
1:00 P.M.

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JUN 21 1979

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The City Planning Commission met pursuant to notice on Thursday, June 21, 1979 at 1:00 p.m. in Room 282, City Hall.

PRESENT: Toby Rosenblatt, President; Ina F. Dearman, Vice-President; Susan J. Bierman, John Christensen; Joseph Mignola; Yoshio Nakashima, and Charles Starbuck; members of the City Planning Commission.

ABSENT: None

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of planning; Robert Passmore, Assistant Director of Planning - Implementation; Alec Bash, Planner IV; Barbara Sahm, Assistant Environmental Review Officer; Charles Gill, City Planning Coordinator; Sandra Malandra, Planner II; and Lee Woods, Secretary.

Gerald Adams represented the San Francisco Examiner. Marshall Kilduff represented the San Francisco Chronicle. Mike Mewhinney represented the San Francisco Progress.

Current Matters

A. Director's Report

The Director reported that, pursuant to Section 606 of the City Planning Code, it was necessary to bring two (2) sign permit applications to the Commission for review before the Department could act. The applicant is CALTRANS and the application Nos. are 7905808 and 7905809.

Commissioner Nakashima moved to direct the Zoning Administrator to approve the sign permit applications. The motion was seconded by Commissioner Dearman and passed unanimously.

(Absent: Commissioner Mignola)

B. Commissioners' Questions and Matters

Commissioner Starbuck asked if any action had been taken on a possible application for grant funds for an Emergency Operating Center.

SUMMARY AND MINUTES OF THE REGULAR MEETING

JUNE 21, 1979

CU79.11 - REQUEST FOR AUTHORIZATION FOR CONDITIONAL USE AT 101-199 MARKET STREET, SOUTH SIDE BETWEEN SPEAR AND MAIN STREETS, LOTS 1 AND 2 AND 15-20 IN ASSESSOR'S BLOCK 3712, FOR EXCEPTION TO BULK LIMITS TO ALLOW A LENGTH OF 275 FEET AND A DIAGONAL DIMENSION OF 295 FEET ABOVE 150 FEET, WHEN ONLY 170 FEET AND 200 FEET ARE PERMITTED, IN A C-3-0 (DOWNTOWN OFFICE) DISTRICT AND 150-X HEIGHT AND BULK DISTRICT.

(CONTINUED FROM THE MEETING OF JUNE 14, 1979)

The Director of Planning, Rai Okamoto, indicated that the hearing had been continued to provide time for the Director and Applicant to confer on the issue of replacement housing. We have conferred and the applicant has indicated, by letter, that the Bank's participation, in an "in lieu payments" system for the development of low and moderate income housing, would be impractical.

John Balles, President of the Federal Reserve Bank of San Francisco, said that an expenditure of the kind proposed could not be justified as an expense incurred in the course of doing business. He said the Chairman of the Board's Committee on Capital Expenditures, would probably recommend a location elsewhere if the subject condition. were imposed. Further, he said that suburban location would hurt the Bank's affirmative action program and seriously effect current employees.

Mr. Balles continued. He said that the Bank had complied with the provisions of the Federal Relocation Act, that CALTRANS had acted as a consultant with respect to the Bank's relocation actions and that CALTRANS would certify those actions.

Mr. Balles concluded by saying that, if evidence indicating inadequate compliance with respect to relocation provisions, were found, the Bank would take immediate steps to correct the situation.

Commissioner Bierman said that there was not much doubt that, in an architectural sense, it was a good project. However, she said that she had been offended by the campaign, over a one week delay, of the past week. We are not a "rubber stamp" Commission, she said. We struggle with everything.

Commissioner Bierman continued. She said that she and the Commission had a right and an obligation to have one week's time to consider the matter. To be Pilloried as a zealot because of a one week continuance is offensive, she said.

Mr. Balles responded by saying that the Bank had not accepted outside offers of intervention and that it had had nothing to do with the publicity campaign.

Sue Hestor said that she was requesting that the Bank's relocation obligation be fully met. The relocation payments should be looked upon as part of the cost of clearing the land.

SUMMARY AND MINUTES OF THE REGULAR MEETING

JUNE 21, 1979

Mr. Balles said, in response to Ms. Hestor, that the Bank was required to comply with the Uniform Property Acquisition and Relocation Act.

John Elberling, representing San Francisco Tomorrow, said that a policy to deal with the preservation or replacement of residential hotels in the downtown area was needed.

The Director said that, as a part of the Downtown Conservation and Development Plan, those sites would be inventoried and that subsequent action would be possible.

Charles Gill, City Planning Coordinator, discussed approval conditions contained in a draft resolution before the Commission.

Responding to President Rosenblatt, Mr. Balles said that the conditions were acceptable.

Commissioner Bierman noted that she had voted against the demolition of two landmark buildings which should have been preserved. I have never voted against new construction, she said.

Commissioner Bierman moved approval of the draft resolution. The motion was seconded by Commissioner Dearman.

President Rosenblatt thanked Mr. Bassett, the project architect, for a superb design which will be an asset to the City, he said.

Commissioner Starbuck said that the Bank should not be penalized for past history. But, he said that there were critical planning issues and that he would not vote for approval.

He said that a public agency, the Bank, was taking residential units without adequate replacement. He said that the proposed project violated height and bulk guidelines and that a solid wall of highrises was being created along lower Market Street and that a part of this wall was to be the biggest branch bank in the City.

The motion passed by a vote of 6-1 as City Planning Commission Resolution No. 8301.

(Voting yes: Commissioners Bierman, Dearman, Christensen, Mignola, Nakashima, Rosenblatt; Voting no: Commissioner Starbuck)

EE78.298 - PUBLIC HEARING ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR PROPOSED CROCKER NATIONAL BANK NORTHERN CALIFORNIA HEADQUARTERS BUILDING IN ASSESSOR'S BLOCK 292, GENERALLY BOUNDED BY MONTGOMERY, POST, KEARNY, AND SUTTER STREETS: 38-STORY, 500-FOOT HIGH OFFICE TOWER WITH 569,000 NET LEASABLE SQUARE FEET, A PARKING LEVEL FOR 60-100 CARS AND A 3-LEVEL MID-BLOCK RETAIL GALLERIA.

SUMMARY AND MINUTES OF THE REGULAR MEETING.

JUNE 21, 1979

The content of the draft Environmental Impact Report (EIR) was discussed by Sandra Malandra, Planner II.

Wray Jacobs, representing the Building Service Employees, Local 87, asked that the project be permitted to move ahead.

The following persons commented on the draft EIR:

1. Carl Imparato, representing San Franciscans for Reasonable Growth.
2. John Elberling, representing San Francisco Tomorrow.
3. G.B. Platt, President of the Landmarks Preservation Advisory Board.

At the conclusion of public testimony and after members of the Commission had made very specific comments on the draft EIR, Commissioner Bierman moved that the public hearing be closed.

The motion was seconded by Commissioner Nakashima and passed unanimously.

Note: A certified court reporter was present. An official transcript was made and is available, for reference purposes, in the files of the Department of City Planning.

EE79.157 - PUBLIC HEARING ON DRAFT ENVIRONMENTAL IMPACT REPORT AMENDMENT IN CONNECTION WITH EE75.304, WEST SIDE TRANSPORT/STORAGE PROJECT, WASTEWATER MANAGEMENT PROGRAM, UNDER THE UPPER GREAT HIGHWAY BETWEEN FULTON STREET AND APPROXIMATELY 1,000 FEET SOUTH OF SLOAT BOULEVARD, AND UP TO 2,500 FEET WEST OF ZOO ROAD: COVERING CHANGES PROPOSED IN THE PROJECT AS A RESULT OF A DETERMINATION BY THE REGIONAL WATER QUALITY CONTROL BOARD TO ALLOW AN INCREASE IN THE AVERAGE NUMBER OF ANNUAL OVERFLOWS FROM 1 TO 8.

The content of the draft Environmental Impact Report (EIR) Amendment was discussed by Barbara Sahn, Assistant Environmental Review Officer.

NO person wishing to testify, attended the hearing.

Ms. Sahn said that the hearing had been properly noticed.

At the conclusion of specific comments by the Commissioners, Commissioner Dearman moved that the public hearing be closed and that certification of the EIR Amendment be scheduled for July 26, 1979. The motion was seconded by Commissioner Christensen and passed unanimously.

Note: A certified court reporter was present. An official transcript was made and is available, for reference purposes, in the files of the Department of City Planning.

SUMMARY AND MINUTES OF THE REGULAR MEETING

JUNE 21, 1979

R77.30A - REVOCABLE ENCROACHMENT PERMIT FOR WESTERLY PORTION OF PLAZA ON WILLOW STREET BETWEEN GOUGH AND FRANKLIN STREETS, AND SIDEWALK MODIFICATIONS AT GOUGH AND WILLOW STREETS.

A memorandum, from the Director of Planning to the City Planning Commission, dated June 18, 1979, was summarized by Alec Bash, Planner IV.

William Chappell, an architect, represented Sacred Heart High School.

Arlene Carminita represented the Family Services Agency of San Francisco. She said that the agency's primary concern was the safety of elderly persons who would board vehicles at the agency at Willow and Gough Streets.

Sally Walker, a resident of 964 Eddy Street, said that she had purchased her property for a home. She said that she needed access to her property and that she opposed the street closure. Also, she said that the School was using an adjacent lot for the parking of buses and that she opposed this.

G.B. Platt, President of the Landmarks Preservation Advisory Board (LPAB), said that 964 Eddy Street, St. Paul's Lutheran Church and the Family Services Agency building were under consideration for designation as landmarks. Mrs. Platt said that it was critical that there be auto access to the Family Service Agency to protect the viable use which made it possible to retain a potential landmark building. She said that she did not think that further street closing was in conformity with the Master Plan.

William Chappell, the project architect, said there would be auto access into Willow Street for persons living on Eddy Street. It will be possible to drive in, turn around and drive out, he said.

Commissioner Dearman left the meeting at approximately 5:25 p.m.

Peter Fetu, a graduate of the School, spoke in favor of the School's proposal.

Responding to President Rosenblatt, Mr. Chappell stressed that there would be an auto access into Willow Street for the resident at 964 Eddy Street and the Family Services Agency. There will be no curb and a sloping driveway at the entrance to Willow Street, he said.

Mr. Bash said that the staff recommendation was that the Revocable Encroachment Permit for the Westerly Portion of Plaza on Willow Street between Gough and Franklin Streets, and the sidewalk modification at Gough and Willow Streets are in conformity with the Master Plan.

Ms. Walker said that traffic down Gough Street was extremely fast. Not enough consideration has been given to safety at the intersection, she said.

Commissioner Nakashima moved the staff recommendation that the Director be

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JUNE 21, 1979

authorized to report that the matter was in conformity with the Master Plan. The motion was seconded by Commissioner Christensen.

The Director said that it should be clearly understood and the applicant's representative, Mr. Chappell, agreed that the matter to be acted upon by the Commission included no provision for a curb along Gough Street at Willow Street and no provision for Sidewalks on Willow Street between Gough Street and Franklin Street. Further, he said, and the applicant indicated that he understood that any intrusion into the property at 964 Eddy Street and the property of the Family Service Agency, would require a Certificate of Appropriateness.

The motion for approval of the staff recommendation passed by a vote of 4-2. (Voting yes: Commissioners Christensen, Mignola, Nakashima, Rosenblatt; Voting no: Commissioners Bierman, Starbuck; Absent: Commissioner Dearman)

The meeting adjourned at 6:20 p.m.

Respectfully submitted,

Lee Woods
Secretary

JUN 9 1979

SAN FRANCISCO
CITY PLANNING COMMISSION
SUMMARY AND MINUTES

SAN FRANCISCO
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OF THE
REGULAR MEETING
HELD
THURSDAY, JUNE 28, 1979
ROOM 282, CITY HALL
1:30 P.M.

The City Planning Commission met pursuant to notice on Thursday, June 28, 1979 at 1:30 p.m. in Room 282, City Hall.

PRESENT: Toby Rosenblatt, President; Ina F. Dearman, Vice-President; Susan J. Bierman; John Christensen; Joseph Mignola; Yoshio Nakashima; and Charles Starbuck; members of the City Planning Commission.

ABSENT: None

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; Robert Passmore, Assistant Director of Planning - Implementation; Selina Bendix, Environmental Review Officer; Barbara Sahm, Assistant Environmental Review Officer; Ed Ezra, Transit Planner I and Lee Woods, Secretary.

Gerald Adams represented the San Francisco Examiner.

Approval of Minutes

The minutes of the Regular Meetings of June 14 and June 21, 1979 were approved as corrected.

Current Matters

A. Director's Report

The Director confirmed that the Commission would jointly meet with the Recreation and Park Commission on the 24th of July. The Commissions would consider the redesign of the Great Highway.

B. Commissioners' Questions and Matters

President Rosenblatt said that Supervisor Molinari had expressed concern about the operation of Hydrofoils gased at Pier 39. Robert Passmore, Assistant Director of Planning, said that he would explore Commission jurisdiction in the matter.

Commissioner Bierman expressed concern and said that Pier 39 should have a permit, if one were required, for the "diving tower."

SUMMARY AND MINUTES OF THE REGULAR MEETING

JUNE 28, 1979

President Rosenblatt indicated the Commission's preference that any and all matters, related to Pier 39 and requiring Commission review, be brought to the Commission at one time.

EE78.27 - Public Hearing on Draft Environmental Impact Report for the proposed 101 CALIFORNIA STREET PROJECT: Blocks Generally Bounded by California, Davis, Pine and Front Streets in Assessor's Block 263. Proposal to construct a 48-story, 600-foot high cylindrical office tower with two underground parking levels, a 7-story, 95-foot high triangular base building, and a plaza with 2 landscaped planters.

Edmond Ezra, Transit Planner I, described the proposal and provided the Commission with a summary presentation of the content of the draft Environmental Impact Report (EIR).

The following persons commented on the draft EIR:

1. Carl Imparato, representing San Franciscans for Reasonable Growth.
2. John Elberling, representing San Francisco Tomorrow.
3. Sue Hestor, a resident at 4536 - 20th Street, representing San Francisco Tomorrow.
4. Greg Brecker, representing the Foundation for San Francisco's Architectural Heritage.
5. G.B. Platt, representing the Landmarks Preservation Advisory Board.

At the conclusion of public testimony and after members of the Commission had made very specific comments on the draft EIR, Commissioner Dearman moved that the public hearing be closed. The motion was seconded by Commissioner Nakashima and passed unanimously.

Sue Hesor said that she wished to request, on behalf of San Francisco Tomorrow, that the Commission take Discretionary Review on this project, as well as, the Crocker Bank project, if aspects of the proposals, requiring Conditional Use were withdrawn.

Note: A certified court reporter was present. An official transcript was made and is available for reference purposes in the files of the Department of City Planning.

SUMMARY AND MINUTES OF THE REGULAR MEETING

JUNE 28, 1979

EE79.156 - Public Hearing on Draft Environmental Impact Report Amendment in connection with EE75.179, SOUTHWEST OUTFALL PROJECT, Wastewater Management Program; an outfall for discharge of treated effluent; proposed for construction in a portion of the area bounded by Sloat Boulevard, the San Francisco Zoo and Ocean Beach in Assessor's Block 7281 and in offshore areas in the Pacific Ocean extending in a southwesterly direction, from a point about 2500-Feet south of the intersection of Sloat and the Upper Great Highway, for about 4 miles.

Barbara Sahm, Assistant Environmental Review Officer, described the changes proposed for the Southwest Outfall Project and discussed the content of the draft Environmental Impact Report (EIR) Amendment.

The following persons commented on the draft EIR Amendment:

1. Amy Meyer, Co-chairperson, People for A Golden Gate National Recreational Area.
2. Paul Berrigan, Citizen's Wastewater Committee.
3. Alan Kenck, San Francisco Wastewater Program.

At the conclusion of public testimony and specific comments of Commissioners, Commissioner Mignola moved that the public hearing be closed. The motion was seconded by Commissioner Christensen and passed unanimously.

President Rosenblatt indicated that a certification hearing would be scheduled, possibly, for August 9, 1979.

Note: A certified court reporter was present. An official transcript was made and is available for reference purposes in the files of the Department of City Planning.

DR78.55 - Consideration of Discretionary Review of Building Permit Application No. 7900043 to Expand the Floor Area of an existing Bank and Install Three Drive-Up Windows in Place of an Existing One at 1098 VALENCIA STREET at 22nd Street; Lots 9, 10, and 11 in Assessor's Block 3617.

Robert Passmore, Assistant Director of Planning, said that the neighborhood had very serious concerns about the appropriateness of the proposal and that the staff shared those concerns. Mr. Passmore said that the staff recommendation was that the Commission take Discretionary Review.

Commissioner Dearman moved the staff recommendation. The motion was seconded by Commissioner Bierman and passed unanimously.

SUMMARY AND MINUTES OF THE REGULAR MEETING

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DR78.55 - Discretionary Review of Building Permit Application No. 7900043 to Expand the Floor Area of an Existing Bank and Install Three Drive-Up Windows in Place of an Existing One at 1098 VALENCIA STREET At 22nd Street; Lots 9, 10, and 11 in Assessor's Block 3617.

Robert Passmore, Assistant Director of Planning, reviewed the content of the Negative Declaration and described the proposed project.

Mr. Passmore noted that the subject site was included in an area which had been initiated RC-1. The proposed use may not be a permitted one, he said.

Paul Gespari, an attorney, represented the applicant. Mr. Gespari said that twenty-six (26%) percent of the bank's existing customers used the drive-up window. He said that the provision of additional drive-up teller service would prevent the back-up of vehicles along Valencia Street.

Commissioner Dearman said that it did not seem consistent to say that additional teller service would reduce the problem of auto queuing along Valencia Street.

Mr. Gespari said the the bank did not believe that the guidelines for the location of branch banks applied to Hibernia. There is no possibility of a proliferation of financial institutions and the neighborhood is already auto oriented, he said.

Fairfax Randolph, Hibernia Bank Vice-President, said that the bank's intent was to provide better service to existing customers. Mr. Randolph said that he possessed petitions containing the signatures of two thousand people who endorsed the bank's plan.

Jean Kinder, a resident at 1062 Valencia Street, said that the traffic situation was serious and that the bank's plan was a solution.

Louis J. Scafetti, a merchant in the area, said that the additional parking would solve the traffic problems.

Johnny Bajon, a merchant in the area, said that the additional parking and drive-up windows would help the situation.

Will Mineas said that he opposed the proposal and that traffic circulation problems would persist.

David Tuttle, a resident at 1085 Valencia, said that he was

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JUNE 28, 1979

opposed to the proposal and that additional autos should not be brought to an already congested neighborhood.

Adeline Rogers said that the drive-up windows should be totally eliminated.

Linda Brown said that there was the issue of the demolition of a small, neighborhood serving business.

James Reefer, representing the Mission Planning Council, said that the proposal conflicted with City Policy which affirmed the need to retain existing housing and City policy with respect to Transit first and interference with existing transit lines.

Mr. Gespari said that the bank did not wish to bring additional autos to the neighborhood, that 22nd Street had the capacity to handle traffic in excess of that which might be generated by the bank and that the bank would pay for relocation costs where dislocation would occur.

Mr. Passmore said that the staff recommendation for disapproval to the extent of the proposed "drive-up" windows.

He said that the Department's Transportation Section was not convinced that the proposal would reduce traffic impacts in the area. He said that there was also the Commission's policy against new or expanded openings to Commercial Uses within Fifty (50') feet of residential districts. Also, he said that there was a Master Plan policy against the promotion of uses which would conflict with public transit.

Commissioner Dearman moved approval of the staff recommendation. The motion was seconded by Commissioner Nakashima and passed unanimously as City Planning Commission resolution NO. 8302.

The meeting adjourned at 6:20 p.m.

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JUN 1979

SAN FRANCISCO
CITY PLANNING COMMISSION
SUMMARY AND MINUTES
OF THE
REGULAR MEETING
HELD
THURSDAY, JULY 5, 1979
ROOM 282, CITY HALL
1:00 P.M.

The City Planning Commission met pursuant to notice on Thursday, July 5, 1979 at 1:00 p.m. in Room 282, City Hall.

PRESENT: Ina F. Dearman, Vice-President; Susan J. Bierman; John Christensen; Joseph Mignola; Yoshio Nakashima; and Charles Starbuck; members of the City Planning Commission.

ABSENT: Toby Rosenblatt.

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; Robert Passmore, Assistant Director of Planning - Implementation; Alec Bash, Planner IV; Charles Gill, City Planning Coordinator; Jim Miller, Planner II; and Lee Woods, Secretary.

Gerald Adams represented the San Francisco Examiner. Bob Bartlett represented the San Francisco Chronicle. Mike Mewhinney represented the San Francisco Progress.

Current Matters

A. Director's Report

With respect to prior Commission stipulations that the Levi Square project sponsor acquire encroachment permits before proceeding with demolition on block "C", Charles Gill, City Planning Coordinator, reported that the developer had received preliminary approvals. He asked the Commission to concur that it's condition had been met. The Commission agreed.

Rai Okamoto, Director of Planning, asked the Commission to endorse the Department's efforts at the development of design guidelines for the International Hotel site.

Responding to the Director, Gordon Chin, representing the Chinatown Neighborhood Improvement Resource Center, said that the guidelines would be an appropriate way for the City to take a stand on the site.

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The Commission agreed that the Department should consult with the neighborhood and proceed with the development of design guidelines.

The Director of Planning said that the Department would recommend that the Commission adopt a policy of Discretionary Review for the entire block containing the International Hotel site.

Commissioner Bierman moved that the Commission take Discretionary Review of any development proposed for the block bounded by Jackson Street, Washington Street, Kearny Street and Columbus Avenue. The motion was seconded by Commissioner Christensen and passed unanimously. Absent: Commissioner Mignola, Rosenblatt, and Starbuck.

At approximately this time, Commissioner Starbuck arrived for the meeting.

CU79.29 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE ON NORTHEAST SIDE OF BURNETT AVENUE BETWEEN IRON AND COPPER ALLEYS, NORTH OF GARDENSIDE DRIVE, A THROUGH LOT TO GRAYSTONE TERRACE, LOT 1 IN ASSESSOR'S BLOCK 2718A, FOR 20 DWELLING UNITS IN 10 DUPLEX TOWNHOUSES ON A LOT WITH AN AREA OF APPROXIMATELY 38,000 SQUARE FEET, WHEN 1,500 SQUARE FEET IS REQUIRED PER DWELLING UNIT, IN AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT.

The Commission agreed that it would consider simultaneously item No. 4 (RS79.45) and item No. 5 (R79.15).

Alec Bash, Planner IV, noted that the Commission at the previous hearing, had expressed concern related to the height of the proposed project and view blockage, the number of units proposed and the need for open space.

Mr. Bash said that the applicant had attempted to respond to those concerns. In the applicant's revised proposal, he said that the overall floor area had been reduced, that open space had been inserted and that the total number of units remained the same.

Mr. Bash said that, with these modifications, the staff recommendation was for approval.

Responding to Commissioner Bierman, Mr. Bash said that there would be pedestrian access along Copper Alley from Graystone to Burnett.

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Representing the applicant, David Caldoiff said that there would be nineteen (19) two-bedroom units and one (1) three-bedroom unit. He said that the open space corridors at the front of the building would measure twenty-nine feet (29') in width and twenty feet (20') in width at the rear of the building.

A former resident of the area, Carol Viets, said that she would return to San Francisco to live there.

Gary Faldesey, President of the Twin Peaks Improvement Association, said that neighborhood concerns remained the same. The buildings look like apartment buildings and the number of units has not been reduced, he said.

Hal Barrett, a resident of the area, said that there could be a circulation problem at the point of the possible easement.

Alberta Dolan, a Corbett Avenue resident, said that she supported the project.

Robert Passmore, Assistant Director of Planning, said that the staff recommendation was for approval of the three related items.

Commissioner Bierman said that the project had come a long way, and there is no possibility of the City purchasing the property for open space, she said. She moved approval of the staff recommendation. The motion was seconded by Commissioner Nakashima.

Item no. 3 (CU79.29) was approved unanimously as City Planning Commission resolution no. 8303. Absent: Commissioners Mignola and Rosenblatt.

Item no. 4 (RS79.45) was approved unanimously as City Planning Commission resolution no. 8304. Absent: Commissioners Mignola and Rosenblatt.

With respect to item no. 5 (R79.15), the Commission authorized, unanimously, the Director to report that the matter is in Conformity with the Master Plan. Absent: Commissioners Mignola and Rosenblatt.

CU79.13 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE AT PIER 1 OR PIER 3, THE EMBARCADERO EAST OF WASHINGTON AND JACKSON STREETS, LOT 1 OR 3 IN ASSESSOR'S BLOCK 9900, FOR PERMANENT MOORING OF THE "DELTA KING" SHIP TO PROVIDE RETAIL, SERVICE AND OFFICE USES, NON-MARITIME USES IN THE NORTHERN WATERFRONT SPECIAL USE DISTRICT NO. 1, IN A C-2 (COMMUNITY BUSINESS) DISTRICT.

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Robert Passmore, Assistant Director of Planning, said that the proposal would have to be considered in the context of work being done in the Northeastern Waterfront area.

The staff recommendation is to continue the matter to November 1, 1979, he said.

Commissioner Nakashima moved the staff recommendation. The motion was seconded by Commissioner Starbuck and passed unanimously. Absent: Commissioners Mignola and Rosenblatt.

At this time, Commissioner Mignola arrived for the meeting.

CU78.68 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE AT 44 LURMONT TERRACE AND 1065-67 LOMBARD STREET, IN BLOCK BOUNDED BY LOMBARD, LEAVENWORTH, GREENWICH AND HYDE STREETS, LOTS 25, 26 AND 27 IN ASSESSOR'S BLOCK 71, FOR 13 DWELLING UNITS WITH 20 PARKING SPACES, EXCEEDING A RATIO OF 1.5 TO 1.0 PARKING SPACES PER DWELLING UNIT, ON A 16,465 SQUARE FOOT PARCEL IN AN RH-3 (HOUSE, THREE FAMILY) DISTRICT.

Robert Passmore, Assistant Director of Planning, noted that the hearing had been continued to provide time for the applicant to explore alternative access to the proposed project and to explore alternatives involving different numbers of units.

Mr. Passmore noted that the applicant had developed and submitted for review a new proposal. Additional property would be included in the proposal. Therefore, he said that new notice and revised environmental evaluation would be needed.

The applicant, Harold Baxter, described his new proposal. It provided for a widening of Lurmont Terrace to twenty-four feet (24') and access, to development, from Leavenworth Street through a tunnel under property owned by Dick Glumac.

Representing Mr. Baxter, Bruce Judd, an associate of Charles Hall Page, said that he had studied the Cape Cod Cottage and that in his opinion it was not historically significant.

Mr. Baxter, referring to his new proposal, said that he had an agreement, with Mr. Glumac, to purchase property or to obtain an easement for the sake of developing a garage. Mr. Glumac said that he and Mr. Baxter would develop jointly the garage provided for in the new proposal.

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Antonio Rossman, an attorney, represented Alfonso Zirpoli, a resident of Greenwich Street between Hyde Street and Leavenworth Street.

Sandra Malandra of the Department of City Planning, said that she had not been able to sign-off on the "mandatory findings of significance" in the environmental evaluation.

Robert Epstein, an attorney, represented the applicant.

Mariam Goldman, a resident of the area, read from two letters of neighbors who opposed the proposal.

Elton Puffer, a resident of the area, said that there was still a potential for aggravating existing traffic problems. The bulk of proposed buildings is a problem also, he said.

Commissioner Nakashima said that the revised proposal had gone a long way to meet concerns. I don't find much to object to, he said.

Commissioner Bierman said that this type of infill housing with one-half million dollar condominiums was not needed. It would be a bad precedent, she said. She said that she could go along with something like the Hockaday plan which provided for less density.

Responding to Commissioner Starbuck, Mr. Passmore said that construction of access structures under the rear twenty-five feet (25') of the lot, would necessitate a variance.

Commissioner Starbuck moved that the matter be continued, that no new proposals be considered and that existing proposals be merged for one hearing. Environmental evaluation would proceed any action, he said. The motion was seconded by Commissioner Christensen.

As a substitute motion, Commissioner Bierman moved disapproval of the pending application. The motion was seconded by Commissioner Starbuck and passed by a vote of 4-2 as City Planning Commission resolution no. 8305.

(Voting yes: Commissioners Bierman, Dearman, Mignola, Starbuck; Voting no: Commissioners Christensen, Nakashima; Absent: Commissioner Rosenblatt.)

CU79.26 - REQUEST FOR CONDITIONAL USE AUTHORIZATION AT 2777 FOLSOM STREET, EAST SIDE BETWEEN 23RD AND 24TH STREETS, LOT 25 IN ASSESSOR'S BLOCK 3640, FOR REMOVAL OF 1980 TERMINATION DATE OF A NON-CONFORMING USE OFFICE AND SHOE REPAIR SUPPLIES STORAGE FACILITY, IN AN RH-2 (HOUSE, TWO FAMILY) DISTRICT.

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A case report was available. It was summarized by Jim Miller, Planner II.

Robert Passmore, Assistant Director of Planning, said that the staff recommendation was for approval with conditions. He indicated that a draft resolution was before the Commission.

Commissioner Bierman moved approval of the draft resolution. The motion was seconded by Commissioner Nakashima and passed unanimously as City Planning Commission Resolution No. 8306. (Absent: Commissioner Rosenblatt)

CU79.35 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE AT 2301 SCOTT STREET, NORTHWEST CORNER AT WASHINGTON STREET, LOT 10 IN ASSESSOR'S BLOCK 979, FOR A FIVE-ROOM "HOTEL", EACH ROOM WITH INDIVIDUAL COOKING FACILITIES IN AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT.

A case report was available and summarized by Jim Miller, Planner II.

Robert Passmore, Assistant Director of Planning, said that the staff recommendation was for disapproval. Mr. Passmore said that a permitted use and a conditional use were not allowed ordinarily on the same lot at the same time. Further, Mr. Passmore said that the proposal was totally against policies of the Master Plan.

Irene Fields, the applicant, said that the units were easy to rent and that the proposed use was needed.

Neighborhood residents, including Jim Coleshi, John Goldberg, David McCardle, Clay Sander expressed their opposition to the proposal. They stressed reasons, including traffic, noise and the inappropriateness of the proposed use in what was described as a family type neighborhood.

Commissioner Starbuck moved disapproval of the Conditional Use application. The motion was seconded by Commissioner Christensen; Commissioner Bierman said that it was the Commission's responsibility to protect and preserve the City's rental housing stock.

The motion for disapproval passed by a vote of 6-0 as City Planning Commission Resolution No. 8307. (Absent: Commissioner Rosenblatt)

CU79.34 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE AT 2895 THIRD STREET, INCLUDING FRONTAGE ON 25TH AND ILLINOIS STREETS, LOT 2 IN ASSESSOR'S BLOCK 4245, FOR AN AUTO-MOBILE WRECKING OPERATION IN AN M-2 (HEAVY INDUSTRIAL) DISTRICT.

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A case report was available and summarized by Jim Miller. Robert Passmore, Assistant Director of Planning, said that the staff recommendation was for approval with conditions.

Michael Bird, an attorney, represented the Sheedy Drayage Company. Mr. Bird said that Sheedy was opposed to the proposal. There'll be excessive noise and traffic, and it'll downgrade the area, he said. Mr. Bird said that other industrial firms, in the area, were opposed.

Commissioner Mignola moved that the matter be continued for one week to provide the staff with time to collect additional information on the area and to provide the Commission with time to visit the site. The motion was seconded by Commissioner Bierman.

Al Collier, representing Ajax Auto Dismantlers, noted that his company would lose a \$3,400 security deposit if an agreement could not be reached by the 5th of July.

The motion for a continuance failed.

Commissioner Nakashima moved approval of the conditional use application. The motion was seconded by Commissioner Christensen and passed by a vote of 3-2 as City Planning Commission Resolution No. 8308.

(Voting yes: Commissioners Christensen, Mignola, Nakashima; Voting no: Commissioners Bierman, Starbuck; Absent: Commissioners Dearman, Rosenblatt)

R79.28 - CONSIDERATION OF PROPOSED AMENDMENTS TO OFFICIAL REDEVELOPMENT PLAN FOR THE YEERBA BUENA CENTER APPROVED REDEVELOPMENT PLAN.

A case report was available. It was summarized by Alec Bash, City Planning Coordinator. Mr. Bash noted also that the Commission had been provided copies of a document dated June, 1979, and entitled "Proposed Amendments to Official Redevelopment Plan for The Yerba Buena Center Approved Redevelopment Plan."

With respect to Assessor's Block 3723, Commissioner Bierman said that everyone had always assumed that the block would be devoted to a "theme park". She said that the proposed designation of housing as an alternate use was too sudden and that she opposed it. She said that there had never been any public discussion of housing for the site or of combined housing and a theme park. Further, she said that the changes or amendments had not been listed in the Environmental Impact Report and there had been no notice for a discussion of the

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changes.

Redmond Curnan, representing the San Francisco Redevelopment Agency, said that housing would be a "fall-back" position in the event that a "theme-park" developer could not be found. Mr. Curnan suggested that no efforts to market housing, would have to be undertaken prior to the middle of 1980.

Mr. Bash said that the basic staff recommendation was to find the proposed amendments, contained in document entitled "Proposed Amendments to Official Redevelopment Plan for the Yerba Buena Center Approved Redevelopment Plan", dated June, 1979, in conformity with the Master Plan provided that there be further amendments to the Plan. He said that there was a draft resolution before the Commission.

Commissioner Christensen moved approval of the staff recommendation and an additional amendment, precluding residential development on Block 3723 until February 19, 1980.

With respect to the Agency, Commissioner Starbuck said that a potential conflict of interest situation existed for him. He requested that the Commission permit him to abstain.

Commissioner Mignola moved that Commissioner Starbuck be permitted to abstain from voting. The motion was seconded by Commissioner Nakashima and passed unanimously.

Commissioner Christensen's motion for approval of the staff recommendation was seconded by Commissioner Mignola and passed unanimously as City Planning Commission Resolution No. 8309. (Voting yes: Commissioners Bierman, Christensen, Mignola, Nakashima; Absent: Commissioners Dearman, Rosenblatt; Abstaining: Commissioner Starbuck)

The meeting was adjourned at 7:45 p.m.

Respectfully submitted,

Lee Woods
Secretary

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DOCUMENTS DEPT.

SAN FRANCISCO
CITY PLANNING COMMISSION
SUMMARY AND MINUTES
OF THE
REGULAR MEETING
HELD
THURSDAY, JULY 26, 1979
ROOM 282, CITY HALL
1:00 P.M.

JUN 9 1980

SAN FRANCISCO
PUBLIC LIBRARY

The City Planning Commission met pursuant to notice on Thursday, July 26, 1979, at 1:00 p.m.

PRESENT: Toby Rosenblatt, President; Ina F. Dearman, Vice-President; Susan J. Bierman; John Christensen; Joseph Mignola; Yoshio Nakashima; and Charles Starbuck, III; members of the City Planning Commission.

ABSENT: None

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; George Williams, Assistant Director of Planning; Selina Bendix, Environmental Review Officer; Barbara Sahm, Assistant Environmental Review Officer; Lu Blazej, Planner IV; Charles Gill, City Planning Coordinator, Sandra Malandra, Planner II; Marie Zeller, Planner III; and Lee Woods, Secretary.

Gerald Adams represented the San Francisco Examiner. Marshall Kilduff represented the San Francisco Chronicle and Mike Mewhinney represented the San Francisco Progress.

CURRENT MATTERS

A. DIRECTOR'S REPORT

Rai Okamoto, Director of Planning, noted that he would be on vacation, August 3 through August 29, and indicated that he would appoint Robert Passmore Acting Director for that period.

CONSIDERATION OF RESOLUTION AUTHORIZING THE DIRECTOR TO APPLY FOR AND RECEIVE AN EDA 302 (A) PLANNING GRANT.

The Director indicated that the Commission had before it a draft resolution authorizing the Director to seek and accept Economic Development Administration (EDA) grant funds for economic development planning activities. A part of the money, he said, would be used for the economic component of the Downtown Conservation and Development Plan.

Commissioner Dearman moved approval of the draft resolution.

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The motion was seconded by Commissioner Dierman.

Commissioner Starbuck said that he could not support a grant application for funds to be devoted to the Downtown Study.

The motion for approval of the draft resolution passed by a vote of 5-1 as City Planning Commission Resolution No. 8328. (Voting yes: Commissioners Dierman, Dearman, Christensen, Nakashima, Rosenblatt; Voting no: Commissioner Starbuck; Absent: Commissioner Mignola.)

B. COMMISSIONERS' QUESTIONS AND MATTERS

With respect to Sunset Scavenger's proposed garbage incinerator to be located in the City of Brisbane, Commissioner Starbuck said that Brisbane had declined to permit San Francisco to be the Environmental Impact Report "lead agency." The incinerator could have adverse impact on San Francisco residential neighborhoods, he said. He suggested that the Environmental Review Officer confer with the Brisbane city manager to avoid future problems.

With respect to Pier 39, Commissioner Starbuck said that litigation, related to any number of issues, was possible. He said that the Department ought to make explicit potential Conditional Use violations. If we don't, he said, we'll have a hard time enforcing the provisions of Conditional Uses in the future. We are responsible for violations, he said, to the extent that our Conditional Use applies.

CONSIDERATION OF ENDORSEMENT OF THE OCEANVIEW-MERCED-INGLESIDE NEIGHBORHOOD IMPROVEMENT PLAN (OMI).

The Director introduced Lu Blazej, Planner IV. Mr. Blazej had served as the Department's liaison to the OMI Neighborhood and had participated in the development of the Neighborhood Improvement Plan. Mr. Blazej described the OMI and the context and content of the neighborhood plan.

Don Ayala, OMI Project Director for the Housing Conservation Institute (HCI) said that the plan deserved the full support of the Commission. He said that more emphasis should be placed on the acquisition of Community Development funds for housing in the area.

Lonnie Lawson, chairman of Planning for the OMI Association, urged endorsement of the plan and said that open space/recreation facilities needed upgrading.

Dolores Canada, a Bixby Street resident, said that there was a

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need for housing programs for the area.

Veronica Hunnicut, President of the OMI Homeowners and Renters Association, said that the association accepted the plan. What is not clear in the plan, she said, is the OMI's need for social programs including child care services and senior assistance services.

Mr. Blazej, responding to Ms. Hunnicut, said that, in a conceptual sense, the plan had been seen as a Community physical development plan.

Responding to Commissioner Dierman's concerns, Rai Okamoto, Director of Planning, said that a section would be added to the plan. It will make reference to social programming needs and conceptual solutions, he said.

The Director said that the staff recommendation was for endorsement of the plan.

Commissioner Dearman moved that the Commission endorse the OMI Neighborhood Plan. The motion was seconded by Commissioner Nakashima and passed unanimously as City Planning Commission Resolution No. 8329 (Absent: Commissioner Mignola.)

EE79.157 - CONSIDERATION OF CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT AMENDMENT IN CONNECTION WITH EE75.304, WEST SIDE TRANSPORT/STORAGE PROJECT, WASTE-WATER MANAGEMENT PROGRAM, UNDER THE UPPER GREAT HIGHWAY BETWEEN FULTON STREET AND APPROXIMATELY 1,000 FEET SOUTH OF SLOAT BOULEVARD, AND UP TO 2,500 FEET EAST OF ZOO ROAD; COVERING CHANGES PROPOSED IN THE PROJECT AS A RESULT OF A DETERMINATION BY THE REGIONAL WATER QUALITY CONTROL BOARD TO ALLOW AN INCREASE IN THE AVERAGE NUMBER OF ANNUAL OVERFLOWS FROM 1 TO 8.

Barbara Sahm, Assistant Environmental Review Officer, said that the Office of Environmental Review had not had time to respond to the comments of the State Water Resources Board and that a Continuance was necessary. The staff, she said, recommends continuance to August 16, 1979.

Commissioner Dearman moved that the matter be Continued to August 16th. The motion was seconded by Commissioner Nakashima and passed unanimously.

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EE78.298 - CONSIDERATION OF CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED CROCKER NATIONAL BANK NORTHERN CALIFORNIA HEADQUARTERS BUILDING IN ASSESSOR'S BLOCK 292, GENERALLY BOUNDED BY MONTGOMERY, POST, KEARNY, AND SUTTER STREETS; 38-STORY, 500-FOOT HIGH OFFICE TOWER WITH 569,000 NET LEASABLE SQUARE FEET, A PARKING LEVEL FOR 60-100 CARS AND A 3-LEVEL MID-BLOCK RETAIL GALLERIA.

Selina Bendix, Environmental Review Officer indicated that the Commissioner could take separate actions on the completeness of the final Environmental Impact Report (EIR) and a finding with respect to significance.

Commissioner Starbuck moved that the EIR be certified as complete. The motion was seconded by Commissioner Mignola and passed unanimously as CPC resolution 8330.

With respect to a finding related to significant impact, Commissioner Nakashima moved that the project could not have a significant impact. The motion was seconded by Commissioner Mignola and passed by a vote of 4-2 as City Planning Commission resolution No. 8331. Voting yes: Commissioners Christensen, Mignola, Nakashima and Rosenblatt. Voting no: Commissioner Bierman, Starbuck. Absent: Commissioner Dearman.

Note: A certified court reporter was present. An official transcript was made and is available, for reference purposes, in the files of the Department of City Planning.

DR79.13 - DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION No. 7902743 FOR THE PROPOSED CROCKER NATIONAL BANK NORTHERN CALIFORNIA HEADQUARTERS BUILDING IN ASSESSOR'S BLOCK 292, GENERALLY BOUNDED BY MONTGOMERY, POST, KEARNY, AND SUTTER STREETS; 38-STORY, 500-FOOT HIGH OFFICE TOWER WITH 569,000 NET LEASABLE SQUARE FEET, A PARKING LEVEL FOR 60-100 CARS AND A 3-LEVEL MID-BLOCK RETAIL GALLERIA; ON A SITE ADJACENT TO MARKET STREET.

The proposed project was described by Charles Gill, City Planning Coordinator. Mr. Gill indicated that the project was being proposed and the City Planning Commission's Market Street Discretionary Review Policy Area and that Discretionary Review was required.

At the conclusion of the public testimony and a discussion of the project, Commissioner Bierman moved approval with conditions of the proposed project. The motion was seconded by Commissioner Nak-

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ashima and passed by a vote of 5-1 as City Planning Commission Resolution No. 8332. Voting yes: Commissioner Bierman, Christensen, Mignola, Nakashima, Rosenblatt. Voting no: Commissioner Starbuck. Absent: Commissioner Dearman.

Note: A certified court reporter was present. An official transcript was made and is available for reference purposes, in the files of the Department of City Planning.

R79.17 - VACATION OF PORTION OF VER MEHR PLACE 97.5 FEET
EASTERLY OF KEARNY STREET, SOUTH OF BUSH STREET.

Charles Gill, City Planning Coordinator, said that the staff recommendation was that the matter be found to be in conformity with the Master Plan.

Commissioner Mignola moved that the Director be authorized to report that the matter is in conformity with the Master Plan. The motion was seconded by Commissioner Nakashima and passed by a vote of 5-1. Voting yes: Commissioner Bierman, Christensen, Mignola, Nakashima, Rosenblatt. Voting no: Commissioner Starbuck. Absent: Commissioner Dearman.

EE78.61 - CONSIDERATION OF CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED PACIFIC GATEWAY OFFICE TOWER: 33-STORY OFFICE BUILDING ON MISSION STREET BETWEEN MAIN AND BEALE STREETS.

Barbara Sahm, Assistant Environmental Review Officer, said that the staff recommendation was that the final Environmental Impact Report be certified as complete and that the project could not have a significant impact on the environment.

Commissioner Christensen moved approval of the staff recommendation. The motion was seconded by Commissioner Mignola and passed by a vote of 4-2 as City Planning Commission resolution No. 8333. Voting yes: Commissioner Christensen, Mignola, Nakashima, Rosenblatt. Voting no: Commissioner Bierman, Starbuck. Absent: Commissioner Dearman.

Note: A certified court reporter was present. An official transcript has been made and is available, for reference purposes, in the files of the Department of City Planning.

DR79.12 - CONSIDERATION OF DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NO. 7713422 FOR THE PROPOSED PACIFIC GATEWAY OFFICE TOWER: 33-STORY OFFICE BUILDING ON MISSION STREET BETWEEN MAIN AND BEALE STREETS.

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Rai Okamoto, Director of planning, said that the staff recommendation was for Discretionary Review.

Commissioner Nakashima moved that the Commissioner take Discretionary Review of the proposed development. The motion was seconded by Commissioner Bierman and passed unanimously. Absent: Commissioner Dearman.

DR79.12 - DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NO. 7713422 FOR THE PROPOSED PACIFIC GATEWAY OFFICE TOWER: 33-STORY OFFICE BUILDING ON MISSION STREET BETWEEN MAIN AND BEALE STREETS.

At the conclusion of public testimony and discussion of the project, Commissioner Starbuck moved disapproval of the proposed project and Commission intent to adopt a formal resolution of disapproval at the Commission's regular meeting scheduled for August 2, 1979. The motion was seconded by Commissioner Bierman and passed unanimously. Absent: Commissioner Dearman.

Note: A certified court reporter was present. An official transcript has been made and is available, for reference purposes in the files of the Department of City Planning.

Adjournment. 10:40

JUL 2 1979

SAN FRANCISCO
PUBLIC WORKS

SAN FRANCISCO
CITY PLANNING COMMISSION
SUMMARY AND MINUTES
OF THE
REGULAR MEETING
HELD
THURSDAY, AUGUST 2, 1979
ROOM 282, CITY HALL
1:30 P.M.

The City Planning Commission met pursuant to notice on Thursday, August 2, 1979, at 1:30 p.m. in Room 282, City Hall.

PRESENT: Toby Rosenblatt, President; Susan J. Bierman; Ina F. Dearman, Vice President; Joseph Mignola; Yoshio Nakashima; Charles Starbuck, members of the City Planning Commission.

ABSENT: Commissioner Richard Sklar.

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; Robert Passmore, Acting Zoning Administrator; Alec Bash, City Planning Coordinator; Joseph Fitzpatrick, Planner III - Acting Secretary; Franz Von Uckermann and Marie Zeller, Planners III; Robin Jones, Jeremy Kotas, Jim Miller; and Mary Anne Miller, Planners II.

Gerald Adams represented the San Francisco Examiner and Mike Mewhinney represented the San Francisco Progress.

At approximately 3:30 p.m., Commissioner Mignola arrived for the meeting.

FIELD TRIP

Members of the Commission and staff departed from 100 Larkin Street at 12:00 Noon to visit sites of cases scheduled for the August 2, 1979 Calendar.

CURRENT MATTERS

A. DIRECTOR'S REPORT

The Director introduced Milton Edelin, the new Deputy Director of Planning, and briefly outlined his background. Mr. Edelin will formally join the Staff on August 27, 1979.

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CONSIDERATION OF RESOLUTION AUTHORIZING THE DIRECTOR OF PLANNING TO ENTER INTO A CONTRACT FOR CONSULTANT SERVICES FOR PHASE I OF THE DOWNTOWN CONSERVATION AND DEVELOPMENT STUDY.

The Director announced that the interview panel unanimously recommended that the firm of Sedway-Cooke, 325 Pacific Avenue, San Francisco, be selected to perform the consultant's work of Phase I of the Downtown Conservation and Development Plan. Mr. Paul Sedway and Mr. Charles Collins, who will be project manager, were introduced, and a press release was distributed.

Mr. Okamoto announced that the Community Liaison Committee for the Downtown Conservation and Development Study had met on August 1st, and in response to Commissioner Bierman's question, described the composition and method of selection of the Committee. Commissioner Bierman stated that she felt that the Commission should have been consulted in the selection of the Committee. She also stated that it was her understanding that the study was not to compete with or to become an alternate to the downtown initiative. The Director responded that a great deal of effort was made to assure that all groups were represented on the Committee, and that the Study was not conceived of in a competitive way.

After further discussion the Director recommended approval. Commissioner Nakashima moved approval of the resolution authorizing the Director to enter into a Contract for consultant services for Phase I of the Downtown Development Study. The motion was seconded by Commissioner Dearman and passed by a vote of 4-1 as City Planning Commission Resolution No. 8334. (Voting yes: Commissioners Bierman, Dearman, Nakashima, and Rosenblatt; Voting no: Commissioner Starbuck; Absent: Commissioners Mignola and Sklar.)

Future Commission calendars and City Planning-related items recently considered by the Board of Supervisors and the Board of Permit Appeals were outlined.

Marie Zeller reported that the Joint Committee of Finance, and Health and Environment recommended a "do-pass" to the resolution authorizing the Chief Administrative officer to sign the California Coastal Commission Permit accepting the conditions regarding the redesign of the Great Highway. The Department of City Planning will be continuing to meet with relevant Departments regarding the amendments to the conditions for this project.

Robin Jones reported on the status of the Neighborhood Commercial Zoning Study. Work on the study is being coordinated with the

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review of the six neighborhood commercial districts proposed for R-C reclassification by the Board of Supervisors -- Sacramento, Haight, Castro, Upper Market, Valencia and 24th (Mission District) Streets -- as well as two additional areas -- Upper Filmore and 24th Street (Noe Valley). The initial phases of the study are scheduled for presentation on September 6th, 1979.

Copies of a memo concerning the study which had been distributed to neighborhood groups, the Board of Supervisors, other City Departments, and the Mayor were given to the Commission.

The Director reported that, at the Mayor's request, he had met with representatives of the Southern Pacific Transportation Company concerning the Pacific Gateway Building, proposed for lot 26 in Assessor's Block 3718, a portion of the block bounded by Mission, Main, Howard, and Beale Streets, which proposed building was considered by the Commission at their meeting of July 25, 1979. He further reported that the applicants had agreed to make changes in the program to alter the design of and access to their proposed building.

As directed at the July 25th meeting, the staff had prepared a resolution concerning the proposed Pacific Gateway office building expressing the Commission's concerns disapproving Building Permit Application No. 7713422.

Commissioner Bierman moved that the draft resolution for disapproval of the building permit application for the Pacific Gateway Building be adopted. The motion was seconded by Commissioner Nakashima and was passed by a unanimous vote as City Planning Commission Resolution No. 8335.
(Absent: Commissioners Mignola and Sklar.)

CU79.32 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE AT 4601-25 CABRILLO STREET, SOUTHWEST CORNER AT 47TH AVENUE, LOT 1 IN ASSESSOR'S BLOCK 1690, FOR REMOVAL OF MAY 2, 1980 TERMINATION DATE OF NON-CONFORMING USE AUTOMOBILE REPAIR GARAGE, IN AN RM-1 (MIXED RESIDENTIAL, LOW DENSITY) DISTRICT.

Jim Miller outlined the background of this proposal. In May, 1960, the owners were given a 20 year authorization period. However, because the site is in excess of 10,000 square feet, application for continuance as a conditional use is now allowed. Formally, a gas station, the facility is now an auto repair garage. The use has existed at this site for 40 years, employs six, and serves approximately six customers a day. The zoning is RM-1 (Mixed Residential, Low Density) District initiated by the Board of Supervisors for an RH-2 (House, Two-Family) District.

Mr. Miller cited Master Plan considerations including the

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Residential Element which calls for encouraging housing in existing residential areas on sites to replace disruptive non-residential uses such as gas stations, auto repair shops and industrial uses.

President Rosenblatt called for testimony on the proposal.

Mr. Ernie McNabb, owner, spoke at the economic hardship which would result should his application be denied.

Commissioners Bierman and Dearman expressed concern over the garage's unattractive appearance. Bruce Baumann, speaking on behalf of the applicant, stated that Mr. McNabb would be willing to fence and landscape the property.

Mrs. Angela Pilati, 48th Avenue, and Mrs. E. Singer spoke in support of the applicant.

Petitions in support of the application containing the names of fifty neighbors, and fifty-nine customers were submitted.

Commissioner Dearman proposed that conditions under which the use might continue should be drawn up. She so moved and the motion was seconded by Commissioner Nakashima. Commissioner Starbuck stated that he felt that an interim termination date should be established. President Rosenblatt stated that no gas allocation would be lost if this use was to be removed, that it is not a neighborhood use, that the owner was given twenty years to prepare for the termination, and that it doesn't make sense to put the same decision off three or five years.

Robert Passmore stated that it was the staff recommendation that the use should not remain permanently.

The motion to consider conditions under which the use might be continued at the meeting of August 9, 1979 was passed on a 3-2 vote with Commissioners Rosenblatt and Starbuck voting no.
(Absent: Commissioners Mignola and Sklar.)

2M79.19 - REQUEST FOR RECLASSIFICATION OF PROPERTY ON THE NORTHEAST CORNER OF MOUNT VERNON AND NAHUA AVENUES, AT SAN JOSE AVENUE, LOT 18 IN ASSESSOR'S BLOCK 7027B, FROM A P (PUBLIC USE) TO AN RH-1 (HOUSE, ONE-FAMILY) DISTRICT.

2M79.21 - REQUEST FOR RECLASSIFICATION OF PROPERTY AT NORTHEAST CORNER OF NAHUA AVENUE BETWEEN SAN JOSE AND ORTEGA AVENUES, LOTS 7 AND 8 IN ASSESSOR'S BLOCK 7039A, FROM A P (PUBLIC USE) TO AN RH-1 (HOUSE, ONE-FAMILY) DISTRICT.

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Alec Bash presented background on these items and the staff recommendation that they be approved. There being no public testimony, it was moved by Commissioner Nakashima that the proposed reclassification from P to RH-1 of the property at the northeast corner of Mount Vernon and Nahua Avenues at San Jose Avenue be approved. Commissioner Dearman seconded the motion which was passed unanimously as City Planning Commission Resolution No. 8336.
(Absent: Commissioners Bierman, Mignola, and Sklar.)

It was then moved by Commissioner Nakashima that the proposed reclassification from P to RH-1 of the property at the northeast corner of Nahua Avenue between San Jose and Ortega Avenues be approved. Commissioner Dearman seconded the motion which was passed unanimously as City Planning Commission Resolution No. 8337.
(Absent: Commissioners Bierman, Mignola, and Sklar.)

ZM79.20 - REQUEST FOR RECLASSIFICATION OF PROPERTY BETWEEN COLONIAL WAY AND SANTA ROSA AVENUE, NORTHWEST OF SAN JOSE AVENUE, LOTS 18, 16 AND 17 AND PORTIONS OF LOTS 6, 7, 18, 19, AND 30 IN ASSESSOR'S BLOCK 3144A, FROM A P (PUBLIC USE) TO AN RH-1 (HOUSE, ONE-FAMILY) DISTRICT FRONTING ON COLONIAL WAY, AND FROM A P DISTRICT TO AN RH-1 OR A C-1 (NEIGHBORHOOD SHOPPING) DISTRICT FRONTING ON SANTA ROSA AVENUE.

Alec Bash presented the case report including policies of the Commerce and Industry Element of the Master Plan which calls for discouraging major new commercial development unless a significant new market is being created to support the proposed development. The applicant stated that either the C-1 or RH-1 zoning would be acceptable. Robert Passmore made the staff recommendation that the entire property be rezoned RH-1.

It was moved by Commissioner Dearman that the subject property between Colonial Way and Santa Rosa Avenue northwest of San Jose Avenue be rezoned from P to RH-1. Commissioner Nakashima seconded the motion which passed unanimously as City Planning Resolution No. 8338.
(Absent: Commissioners Mignola and Sklar.)

R79.7 - REQUEST FOR REVIEW AS TO CONFORMITY WITH MASTER PLAN OF SURPLUS CITY PROPERTY AT 1249 CLAYTON STREET, NORTHWEST CORNER AT CARMEL STREET, LOT 9 IN ASSESSOR'S BLOCK 1292, FOR A SHERIFF'S DEPARTMENT WORK FURLOUGH PROGRAM FOR 15 TO 20 WOMEN, IN AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT.

Mr. Passmore reported that the applicant had requested that this matter be continued and recommended that this be done. He noted that

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a public hearing is not legally required. President Rosenblatt stated that the Sheriff, the applicant, wished to hold hearings in the neighborhood before bringing the matter before the Commission. A neighbor stated that she felt that the Department had failed to adequately explain the project to the neighborhood. Alec Bash noted that, although there was no legal requirement to hold a public hearing or to mail, it was recognized that the proposal might be controversial, and therefore the Department had mailed notices to all residents within a 300 foot radius, as well as, to neighborhood organizations. Absentee owners were not, however, notified.

President Rosenblatt instructed the staff to express the Commission's concern to the Sheriff that the neighbors be adequately informed by mail of any hearings proposed.

It was moved by Commissioner Dearman, seconded by Commissioner Starbuck, and passed unanimously that the item be continued indefinitely.

(Absent: Commissioner Sklar *and Mignola*.)
(Commissioner Mignola arrived at 3:00 p.m.)

CU79.43 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE FOR A PLANNED UNIT DEVELOPMENT ON NORTHERLY TWO-THIRDS OF BLOCK BOUNDED BY POTRERO AVENUE AND MARIPOSA, HAMPSHIRE AND 18TH STREETS, LOT 1 IN ASSESSOR'S BLOCK 4014, FOR 65 DWELLING UNITS, IN AN M-1 (LIGHT INDUSTRIAL) DISTRICT.

Jeremy Kotas presented background on the case. The Mission Housing Development Corporation proposed to develop 65 units of subsidized (Section 8) family housing on a presently vacant, industrially zoned, 52,500 square foot site.

Edmund G. Berger, architect, representing the developers, spoke explaining the project.

Robert Passmore stated that the staff recommended approval. He commented that 1 to 1 parking would be preferable and that the parking should be covered. Some private open space should also be developed.

A Mr. Carney spoke in opposition to using industrially zoned land for housing. He stated that the City should place a high priority on bringing light industry back into the City and thus increasing the tax base.

Mr. Richard Bollon requested that the property should be rezoned to residential in order to rid the area of billboards. He also

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expressed his distaste for the appearance of the nearby subsidized housing project at 24th and Potrero Streets.

After further discussion, it was agreed that a condition should be added that the site contain no general advertising.

It was moved by Commissioner Dearman that the authorization of conditional use for 65 dwelling units as requested be granted. The motion was seconded by Commissioner Nakashima and was passed unanimously as City Planning Commission Resolution No. 8339. (Absent: Commissioner Sklar.)

CU79.46 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE AT 3867-19TH STREET, SOUTH SIDE BETWEEN SANCHEZ AND CHURCH STREETS, LOT 60 IN ASSESSOR'S BLOCK 3600, FOR 6 DWELLING UNITS ON A LOT WITH AN AREA OF 9,250 SQUARE FEET, WHEN 1,500 SQUARE FEET IS REQUIRED PER DWELLING UNIT, IN AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT; ADDITIONALLY, TWO DUPLEXES ARE PROPOSED ON ADJACENT LOTS, RESULTING IN A TOTAL OF 10 DWELLING UNITS.

Jeremy Kotas outlined the proposal to build a total of ten dwelling units on a 14,950 square foot site. Two two-family units would be built on two separate lots, and the item before the Commission was a proposal to build six units on one 9,250 square foot lot. Under the existing RH-2 zoning, the owners could, by right, build ten units on the total (14,950 square foot) site.

Mr. Kotas outlined the five conditions which the Staff had developed to promote the compatibility of the project with the surrounding neighborhood.

Bobbie Sue Hood, the applicant, spoke in detail concerning the project and of how the design maximized its compatibility with the neighborhood.

Mr. Paul Carpenter, who had formerly lived in the neighborhood spoke in opposition. He reminded the Commission that in March when a large number of neighbors had turned out in opposition to another proposal for this site, single family zoning was informally requested for the site. He stated that the project would adversely affect 18 neighbors, and that the project and the noise and disruption of construction would be a great hardship on many elderly neighbors.

Judith Hedgepeth, Sanchez Street, spoke in opposition. She felt the design to be banal and suburban in character.

William Addison spoke in opposition stating that he doubted that

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the units could be occupied by families, and pointed out that owners of condominiums may rent such units out as they wish.

Kurt Bennett of 19th Street spoke opposing ten units on the site. he stated that the applicant's primary motive was to make a profit, and that such a profit would be at the neighbor's expense.

After further discussion Ms. Hood outlined the meetings and discussions which she had held in the Neighborhood, and showed the Commission a series of photographs detailing the degree to which views would be lost. She pointed out that shadows would be cast to the north, not onto the dwellings at the rear of the project as some of the opponents feared. She again discussed the relation of the project to the contours of the existing hillside, and reiterated that the ten units proposed were the same number of units which could be built on the five RH-2 lots into which the parcel could be legally subdivided. The cost of the units indicate that they will be owner occupied, she stated.

Commissioner Bierman inquired as to the possibility of designing units with less floor area in order to create a less bulky appearing design. Ms. Hood stated that, at the neighbors' urging, the original conception had been reduced in bedroom size, and that further significant cuts were not feasible.

Commissioner Mignola suggested that additional excavation might lower the profile of the building, but Ms. Hood responded that such excavation was already maximized, and that additional cuts would destroy the rear garden.

Mr. Addison, Ms. Hedgepeth, Mr. Bennett and Mr. Carpenter again voiced their opposition.

A discussion of the parking followed. Mr. Passmore pointed out that the parking was a response to a requirement of the City Planning Code.

It was pointed out, in response to Mr. Addison's suggestion that the City purchase the land for permanent open space, that the site did not meet the criteria for such acquisition by being neither a high-need area (with Dolores Park a block away), nor an exposed or prominent open space.

Alec Bash summed up the Staff's position: that this is infill housing, that it meets Master Plan criteria, that it is deemed to be compatible, that the project was not opposed by any neighborhood associations, that many views have been retained, and that the Staff prefers this proposal to a five lot subdivision. He did note that

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should the Commission disapprove this project that they would retain jurisdiction in that a five lot subdivision would have to be brought before the Commission, and that at such time the Staff would recommend that the proposal be continued until precise plans were developed.

After further discussion, it was moved by Commissioner Nakashima that the request be approved with conditions as set forth. The motion was seconded by Commissioner Dearman and was passed on a 4-2 vote as City Planning Commission Resolution No. 8340. (Voting yes: Commissioners Dearman, Nakashima, Rosenblatt, and Mignola; Voting no: Commissioners Starbuck and Bierman; Absent: Commissioner Sklar.)

CU79.37 - REQUEST FOR AUTHORIZATION OF DISCRETIONARY REVIEW IN (DR) LIEU OF CONDITIONAL USE AT 214-16 DUBOCE AVENUE, NORTH SIDE BETWEEN MARKET AND GUERRERO STREETS, LOT 4 IN ASSESSOR'S BLOCK 3501, FOR PROFESSIONAL OFFICES ABOVE GROUND STORY IN A C-2 (COMMUNITY BUSINESS) DISTRICT INITIATED BY THE BOARD OF SUPERVISORS FOR AN RC-2 (RESIDENTIAL-COMMERCIAL COMBINED, MODERATE DENSITY) DISTRICT.

Alec Bash presented background, noting that the applicant had purchased C-2 property with the intention of developing office space, and had done the conversion work with permits. Subsequent to his purchase, the Board of Supervisors initiated rezoning of the property to RC-2.

Mr. Laurence Layden, the applicant, spoke, stating he was not even aware of the RC-2 classification until he recently offered the property for sale. At this time, the realtor's research revealed that the Board had so initiated reclassification. He added that there are no tenants in the building and that it is surrounded by commercial uses, including an active fast food outlet as an immediate neighbor.

Mr. Walter Park of the Duboce Triangle Neighborhood Associate, spoke in opposition. He noted that the opposite side of the street is residential and that there is an apartment house in the same block with the subject property. He spoke to the continuing loss of residential units in San Francisco and of his association's concern with the changing character of Upper Market Street. He stated that Mr. Layden might make a profit of nearly \$78,000 from the sale of the property. He stated that the speculators on Upper Market Street would be watching the Commission's action on this item.

Mr. Tony Tamberello, attorney, spoke in support. He is the prospective occupant of the property. He noted that the building had

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stood vacant for ten years prior to Mr. Layden's purchase of it.

Joseph Nardi and Roy Kileen, neighbors of the property spoke briefly in support.

Mr. Park stated that the Commission should have received a letter in opposition from the Mission Planning Council.

After further discussion, Mr. Passmore stated that it was the staff recommendation that approval should be granted.

Commissioner Nakashima moved that the application for authorization of discretionary review in lieu of conditional use for professional offices above the ground floor at 214-16 Duboce Avenue be approved with conditions. Commissioner Mignola seconded the motion which was passed unanimously as City Planning Commission Resolution No. 8341.

(Absent: Commissioner Sklar.)

The meeting was adjourned at 5:50 p.m.

Respectfully submitted,

Joseph Fitzpatrick
Acting Secretary

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SAN FRANCISCO
CITY PLANNING COMMISSION
SUMMARY AND MINUTES
OF THE
REGULAR MEETING
HELD
THURSDAY, AUGUST 9, 1979
ROOM 282, CITY HALL
1:20 P.M.

The City Planning Commission met pursuant to notice on Thursday, August 21, 1979, at 1:20 p.m. in Room 282, City Hall.

PRESENT: Toby Rosenblatt, President; Ina F. Dearman, Vice President; Susan J. Bierman, John Christensen; Joseph Mignola; Yoshio Nakashima, and Charles Starbuck; members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Robert W. Passmore, Acting Director of Planning; Alec Bash, Planner IV; Charles Gill, City Planning Coordinator; Ed Green, Planner; Dr. Selina Bendix, Environmental Review Officer; Barbara Sahm, Assistant Environmental Review Officer; and Edward N. Michael, Acting Secretary.

Gerald Adams represented the San Francisco Examiner; Marshall Kilduff represented the San Francisco Chronicle; and Mike Mewhinney represented the San Francisco Progress.

Current Matters

A. Director's Report

The Acting Director reported that the City Attorney's Office had advised the Department that the court had sustained the city's demurrer relative to the enforcement action involving Marshall Hale Hospital and that Marshall Hale now has 20 days to perfect its case against the city.

The Acting Director recalled the break-ins into the office of the Department of City Planning on July 4 and July 17, 1979 and requested authorization from the Commission to obtain funds for replacement of equipment taken.

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It was moved by Commissioner Bierman, seconded by Commissioner Dearman and unanimously carried that Resolution No. 8342, authorizing the Director to submit a Supplemental Appropriation Request in the amount of \$3,000 to provide for replacement of three electric typewriters, two electric calculators and one adding machine, be approved. Supervisors Christensen and Mignola were absent.

B. Commissioners' Questions and Matters

There were no Commissioners' Questions or Matters.

DR76.16 - CONSIDERATION OF REQUEST FOR DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NO. 7902779 FOR AN EXISTING ROLL-UP DOOR AT 214 POWELL STREET (PREVIOUSLY CONSTRUCTED WITHOUT A PERMIT); LOT 7 IN ASSESSOR'S BLOCK 314.

The Acting Director, Mr. Passmore, reviewed the history of the installation of the door and subsequent enforcement actions taken at the request of the Powell-Union Square Association. He advised the Commission that they were being asked to take discretionary review because this would allow conditions to be imposed on the issuance of the application.

The applicant, Mr. Monte Farael, who operates the Photo Exchange, Inc., was present as was Mr. Paul Nielsen, Manager of the Powell-Union Square Association.

It was moved by Mr. Starbuck, seconded by Mrs. Dearman and unanimously carried that the Commission review Building Permit Application No. 7902779 under the Discretionary Review procedure. (Voting yes: Commissioners Bierman, Dearman, Nakashima, Rosenblatt and Starbuck; Voting no: None; Absent: Commissioners Christensen and Mignola).

DR79.16 - DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NO. 7902779 FOR AN EXISTING ROLL-UP DOOR AT 214 POWELL STREET (PREVIOUSLY INSTALLED WITHOUT A PERMIT); LOT 7 IN ASSESSOR'S BLOCK 314.

Mr. Passmore stated that there were two issues involving the installed door: 1) the solid covering of the store's show windows and interior that results when it is closed, and 2) the door, when closed, is painted to appear as one large sign.

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Paul Nielsen reviewed the sequence of the involvement of the Powell-Union Square Association with both the owner and various City Departments. He stated that the Fire Department objected to the existing door because it contained no "man-door" which provided access to the store when the door was lowered. He stated that the Association's objections were identical with those stated by Mr. Passmore and also noted that San Francisco Beautiful had sent a letter of objection to the Department regarding it. While the need for security was recognized, it was felt that a grill type roll-up door could achieve the same results and additionally, would not lend itself to being painted as a sign.

Mr. Monte Farael, owner of the Photo Exchange at 214 Powell, maintained that the door was legal but the Fire Department had been presented into saying it was illegal. He said he would make the requested change contingent that the Association would give him a free five-year membership.

Commissioner Dearman said that to her, solid doors of this type appear absolutely hostile. There was further discussion by the Commission on the characteristics of an acceptable type of security door and the Acting Director was asked for his recommendation.

Mr. Passmore reading from a draft of Resolution No. 8343, recommended that Building Permit Application No. 7902779 be disapproved "... unless said application is revised by August 19, 1979, to implement removal of the existing industrial type overhead door by October 8, 1979 and replaced with an attractive see-through, grill design door have no advertising attached to it." It was further agreed that the lowest two-feet of the door might be of solid material, provided the entire door were painted in one color only with no advertising.

Mr. Farael was asked if these conditions were acceptable to him and he in turn asked if he would be given his requested membership. Commissioner Rosenblatt replied that the Commission had no jurisdiction in such matters. Mr. Nielsen stated that he had no authority to make promises about membership.

It was moved by Commissioner Starbuck, seconded by Commissioner Bierman and unanimously carried that Resolution No. 8343 disapproving Building Permit Application No. 7902779 be adopted unless the aforementioned revisions were complied with. (Commissioners Christensen and Mignola were absent.)

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CU79.32 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE AT 4601-25 CABRILLO STREET, SOUTHWEST CORNER AT 47TH AVENUE, LOT 1 IN ASSESSOR'S BLOCK 1690, FOR REMOVAL OF MAY 2, 1980 TERMINATION DATE ON A NON-CONFORMING USE AUTOMOBILE REPAIR GARAGE, IN A RM-1 (MIXED RESIDENTIAL, LOW DENSITY) DISTRICT.
(Continued from the meeting of August 2, 1979.)

Mr. Passmore reviewed a draft resolution prepared by the staff. Mr. Jim Miller of the staff stated since the last meeting it had been determined that another non-conforming use adjacent to this property, had been terminated two or three years ago. Additionally, another letter had been received from a nearby property owner requesting that the extension past May 2, 1980 be granted subject to frequent inspection by the Department to insure that conditions governing the operation of the garage were adhered to.

Mr. Ernie McNabb and Les Harris, applicants and operators, were present and after discussion of the stipulations with the Commissioners and staff agreed to them.

A question arose regarding the ratios of major and minor work performed at the garage and Mr. Harris said he did not know. Mr. Passmore then read the City Planning code definition of "Minor Repair" and based on that, Mr. Harris said about 75% of the work was clearly minor repair. Mr. Passmore said that the major repair then was within the prescribed limits to classify as an accessory use of the operation.

It was then moved by Commissioner Dearman, seconded by Commissioner Bierman that Resolution No. 8344, recommending a 10-year extension of the termination of the non-conforming automobile repair garage at 4601-25 Cabrillo Street be extended from May 2, 1980 to May 2, 1990 be approved with conditions. When the question was called the vote was four to two for adoption. (Commissioners Bierman, Christensen, Dearman and Nakashima voted "Yes"; Commissioners Rosenblatt and Starbuck voted "No"; Commissioner Mignola was absent.)

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R79.44 - 2401 JACKSON STREET, SOUTHWEST CORNER AT FILLMORE STREET, LOT 1 IN ASSESSOR'S BLOCK 606, REQUESTING A CONDOMINIUM CONVERSION SUBDIVISION FOR SEVEN RESIDENTIAL AND TWO COMMERCIAL UNITS.

Mr. Edward J. Wynne represented the owners, Dr. Michael Steele and Dr. David Stockford, owners and tenants of Unit 2. Mr. Alec Bash of the Planning staff reviewed the characteristics of the building and stated that the two commercial units would be retained by the owners, that six tenants have indicated an intent to purchase their units and the seventh tenant has indicated support for the change in ownership. Mr. Wynne stated that the owners agreed to abide by the stipulation of the draft resolution.

Mr. Mignola arrived at 2:40 p.m.

At 2:45 p.m. President Rosenblatt announced a short recess before consideration of the draft resolution.

When the meeting resumed at 3:05 p.m. all commissioners were present except Commissioner Christensen and President Rosenblatt announced that the next item would be No. 7 on the agenda.

RS79.20 - SIDEWALK WIDENING ON PORTION OF NORTHEASTERLY SIDE OF SOUTHERN HEIGHTS BOULEVARD, SOUTHWESTERLY OF DEHARO STREET, FROM EIGHT FEET TO SIXTEEN FEET, ADJACENT TO POTRERO HILL NEIGHBORHOOD HOUSE.

Mr. Alec Bash reported that the proposed sidewalk widening was found to be in conformity with the Master Plan "...provided that street trees be installed and maintained according to a plan to be reviewed and approved by staff of the Department of City Planning, in consultation with representatives of the Landmarks Preservation Advisory Board, and subject to issuance of the Tree Planting Permits by the Department of Public Works Division of Tree Planting".

It was moved by Commissioner Bierman, seconded by Commissioner Starbuck and unanimously carried that the Director of Public Works be advised that the proposal was in conformity with the Master Plan subject to the above conditions.

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The next item considered was No. 6 on the agenda.

R79.8D - LEASE OF PACIFIC HEIGHTS SCHOOL, 2340 JACKSON STREET, NORTHWEST CORNER AT WEBSTER STREET, LOT 4 IN ASSESSOR'S BLOCK 588, TO THE SAN FRANCISCO ART COMMISSION FOR AN ARTS CENTER.

Mr. Alec Bash reviewed the referral for which the Pacific Dance Theater was co-applicant.

Mrs. Marie Cleasby of the Pacific Heights Neighborhood Council was present and said that she had been attempting to obtain answers relative to the operation of the Center but had not been able to do so. Furthermore, she stated that it was the Council's understanding that the school has been withdrawn from its surplus status and will continue as a part of Garfield School this fall.

No one was present to represent the applicants and Commissioner Bierman moved that the matter be postponed for one week. President Rosenblatt said that it might be more appropriate to table the matter indefinitely. Commissioner Bierman then modified her motion to move that the matter be postponed indefinitely. The motion carried unanimously. (Commissioner Christensen was absent.)

The next item considered as Item 8 on the agenda.

ZT79.1 - AMENDMENTS TO SECTION 306.1 OF THE CITY PLANNING CODE TO REVISE THE SCHEDULE OF FEES FOR FILING APPLICATIONS FOR RECLASSIFICATIONS, SETBACK ORDINANCES, CONDITIONAL USES AND VARIANCES.

Mr. Passmore reviewed the proposed schedule noting that the existing fees were instituted first in 1960 and doubled in 1974. He compared them with fees for comparable matters from nearby jurisdictions. He stated further that the fees were never intended to cover the full expense of processing the application except that when the Office of Environmental Review was established its fees were expected to fully reimburse the city for costs involved.

Further testimony on fee changes for the Office of Environmental Review was given by Dr. Selina Bendix, Environmental Review Officer.

Roger Hurlbert of SPUR was advised by Mr. Passmore that it would be recommended to the Board of Supervisors, who must establish the fee schedule, that non-profit neighborhood groups be exempt from payment of fees.

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At this point Commissioner Christensen returned.

It was moved by Commissioner Starbuck, seconded by Commissioner Christensen and unanimously carried that the schedule of fees (attached to these minutes) be submitted to the Board of Supervisors for adoption.

Further discussion ensued on the source of funds for departmental operations. It was moved by Commissioner Starbuck, seconded by Dearman and unanimously carried that the staff take the necessary steps to prepare for commission consideration, legislation which would make the Department of City Planning the repository for all fees received under the proposed amendments to Section 306.1.

Noting that all Commission members were now present, President Rosenblatt announced that the Commission would not return to Item 4 to conclude its consideration by the Commission.

In the discussion which followed, Commissioner Bierman stated that she would have to vote "No" on the proposed condominium conversion to condominium ownership of the apartment structure at 2401 Jackson Street because the Master Plan stresses maintenance of quality housing stock and every conversion to condominium status means a loss of rental housing.

Commissioner Starbuck stated that he also would have to vote "No" for a variety of reasons, among which was the fact that there are more condominium conversions than new construction and no new rentals are being built. Furthermore, he felt that economic factors are the biggest influence in the housing market and these are not dealt with in the Master Plan.

It was moved by Commissioner Christensen and seconded by Commissioner Nakashima that Resolution No. 8345, finding the proposed subdivision of 2401 Jackson Street be approved with conditions. When the Question was called, the vote was four to three in favor. (Voting "Aye": Christensen, Nakashima, Mignola and Rosenblatt; voting "No" Commissioners Bierman, Dearman and Starbuck.)

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RS78.64 - JOINT PUBLIC HEARING WITH THE DEPARTMENT OF PUBLIC WORKS, CONCERNING AN EXCEPTION TO THE PRESERVATION OF MODERATE-INCOME HOUSING PROVISION OF THE SUBDIVISION CODE, FOR 195 - 25TH AVENUE, NORTHEAST CORNER AT LAKE STREET, LOT 15 IN ASSESSOR'S BLOCK 1333, REQUESTING A 12-UNIT CONDOMINIUM CONVERSION SUBDIVISION.

Mr. Raymond W. Wong, Assistant Division Engineer, of the Division of Surveys and Mapping, Bureau of Engineering, represented the Department of Public Works.

Mr. Alec Bash reviewed the matter and stated that the owners of the proposed condominium subdivision were asking for two exceptions to the subdivision ordinance. The first of these was that no more than one apartment be offered as moderate income housing and the second was that they not be required to grant one tenant, aged 62 or older, a lifetime lease.

Mr. Ruben Glickman, one of the owners, was present and stated that he and Donald McDonald, the other co-owner, felt that the exceptions were warranted because of the building's past history, and the size of the apartments. The last owner had title to the building for seventeen years and maintained low rents by not doing maintenance; thus rehabilitation cost will be expensive because of the deferred maintenance, probably in excess of \$135,000 of which \$90,000 will be accountable for code violations. The apartments are not typical; they are large, about 1,500 square feet, and are two-bedrooms with two baths.

Regarding the lifetime lease, Mr. Glickman did not feel this requirement need be met because the tenant involved maintained his major residence in a town north of San Francisco and used the apartment only part of the time. Mr. Glickman stated that he was a real estate lawyer and that portions of the Subdivision Code affecting condominiums were the most difficult legislation he had ever attempted to interpret and explain to his tenants.

There was further discussion between Mr. Glickman and Mr. Wong regarding code violations and recording the subdivision and additional discussion between the Commission and applicant regarding the method of financing.

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Mr. Bash then read a draft resolution, finding the subdivision in conformity with the Master Plan contingent that the following conditions were complied with:

1. The price of the three units renting for \$340 or lower shall not exceed \$55,875 and these units shall be offered upon conversion pursuant to Section 1385 of the Subdivision Code; these figures may be increased according to any increase in the housing component of the Consumer Price Index between July 30, 1979 and the actual sales dates of these units.
2. The subdivider shall comply with the requirements of Article 9 of the San Francisco Subdivision Code as approved July 6, 1979, specifically including those provisions of Sections 1383, 1384, 1387, 1389, 1390, 1391, 1392, 1393, 1395, 1381(a)4(c) and 1381(a)6(b).
3. The subdivider shall rescind any rent increases to tenants which postdate the October 17, 1978 date of filing the application, in order to provide substantial compliance with Section 1390 of the Subdivision Code.

It was then moved by Commissioner Nakashima and seconded by Commissioner Christensen that Resolution No. 8344 be adopted. When the question was called there were four "Ayes" and three "Noes". Commissioners Christensen, Nakashima, Mignola and Rosenblatt voted "Aye" and Commissioners Bierman, Dearman and Starbuck voted "No".

EE78.27 - CERTIFICATION OF FINAL ENVIRONMENTAL IMPACT REPORT FOR PROPOSED 101 CALIFORNIA STREET PROJECT: BLOCKS GENERALLY BOUNDED BY CALIFORNIA, DAVIS, PINE AND FRONT STREETS IN ASSESSOR'S BLOCK 260. PROPOSAL TO CONSTRUCT A 48-STORY, 600-FOOT HIGH CYLINDRICAL OFFICE TOWER WITH TWO UNDERGROUND PARKING LEVELS, A 7-STORY, 95-FOOT HIGH TRIANGULAR BASE BUILDING, AND A PLAZA WITH TWO LANDSCAPED PLANTER.

Ms. Barbara Sahn of the Office of Environmental Review distributed copies and read aloud two revisions of the responses to comments in the Draft Environmental Impact Report. These occurred on pages 25 and 39.

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Following questions and discussion by Commissioners on matters relating essentially to alternative uses, transportation and air quality, Ms. Sahm stated that the draft resolution recommended certification of the EIR and that the project as proposed with mitigation measures would not have a significant effect on the environment.

Commissioner Nakashima moved adoption of Resolution No. 8347 and the motion was seconded by Commissioner Dearman.

Commissioner Bierman then moved to amend the language of the resolution to state that the Commission found that the proposal would have a significant effect on the environment and that mitigation measures would have to be worked out by the Department. The motion was seconded by Commissioner Starbuck. When the question was called for the amendment, the vote was two "Ayes" and five "Noes". (Voting "Aye": Commissioners Bierman and Starbuck, voting "No": Commissioners Christensen, Dearman, Mignola, Nakashima and Rosenblatt.)

The question was then called on adoption of Resolution No. 8347 and the vote was five "Ayes" and two "Noes". (Voting "Aye": Commissioners Christensen, Dearman, Mignola, Nakashima and Rosenblatt; voting "No": Commissioners Bierman and Starbuck.)

CU79.12 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE ON BLOCK BOUNDED BY CALIFORNIA, DAVIS, PINE AND FRONT STREETS (101 CALIFORNIA STREET, ITEL BUILDING), ALL OF ASSESSOR'S BLOCK 263, FOR EXCEPTION TO BULK LIMITS TO ALLOW A BUILDING LENGTH OF 190 FEET, ABOVE 150 FEET, WHEN ONLY 170 FEET IS PERMITTED, IN A C-3-0 (DOWNTOWN OFFICE) DISTRICT AND 600-I HEIGHT AND BULK DISTRICT.

Mr. Robert Passmore advised the Commission that the project would normally be before it under its discretionary review power, however, a conditional use application had been filed for exception to the bulk limits and the review necessary for that encompassed looking at all aspects of the building in the same light as would arise under discretionary review. He then requested that the Commission formally move to employ the conditional use procedure in lieu of discretionary review. He noted that the same kind of judgments would be required for either and the only difference is that under discretionary review a resultant decision is appealable to the Board of Permit Appeals while an appeal from conditional use is made before the Board of Supervisors.

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It was moved by Commissioner Mignola, seconded by Commissioner Christensen and unanimously carried that the Commission employ conditional use procedure rather than discretionary review procedure. (Commissioners Bierman, Christensen, Dearman, Mignola, Nakashima, Rosenblatt and Starbuck voted "Aye".)

Mr. Willie Brown, San Francisco attorney, representing the sponsor, Gerald D. Hines Interests, introduced Mr. Hines.

Mr. Hines said that of his firms various projects across the country, he felt that this was one of the most significant and because of that, had engaged the firm of Johnson and Burgee for its design.

Mr. Phillip Johnson spoke next, stating that he felt this was the finest buildings his firm had ever designed. With the aid of a model and several renderings, he explained the evolution of the design of the buildings and its siting on the block.

He was followed by John Burgee who spoke more to the technical aspects of the building. Both speakers were questioned by Commission members on design features of the building, the plaza and its landscaping.

Mr. Wm. M. Witter of the investment firm of Dean M. Witter noted that his firm was established in San Francisco in 1924 in the Kohl Building. It moved from there in 1937 and currently the office staff is scattered in several locations. The firm feels the need to bring the staff together at one location and consequently will be initially contracting for 180,000 square feet of space in this building. He felt it important that the proposal be authorized because it is difficult to get even 10,000 square feet of first-rate office space currently in San Francisco.

Mr. Willie Brown referred to a recent newspaper article which dealt with losses by ITEL the past year and then called upon Mr. Melvin Schullman of ITEL who said that the firm still intended to occupy space in the building.

Mr. Ted Brown said that he spoke only for himself and he favored the proposal. He felt that while it was important to be concerned with history, it was also important to leave history behind and also to leave something behind for history; this building gives something worthwhile to the city that few other buildings do.

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Eric Rupee, the next speaker, said that he was represented by Clare Peck and William Tooley, owners of developers of the Hibernia Bank Building under construction at 201 California Street; they favor the proposal and hope for an early completion.

There being no other speakers in favor of the project, Commissioner Rosenblatt adjourned the meeting for ten minutes at 6:05 p.m.

When the meeting reconvened, speakers opposed to the project were called upon.

The first speaker was Richard Gryziec, architect and planner. Mr. Gryziec said that his remarks were addressed to the Commission as a whole but in particular to his friend Commissioner Rosenblatt. Continuing, he said that he had hoped for leadership when the Commission was appointed but except for legislation regarding condominiums and the residential rezoning, everything done by this Commission had been a disappointment. He felt that the building could only result in a decrease in environmental quality, however, this issue was not dealt with because the Commission seemed only concerned with the facade and other externals which were tantamount to examining a book by looking only at its cover.

Ron Urbina said that he felt he should be speaking for a Committee to Make the Commission Accountable to the City of San Francisco. He said that building was beautiful but that it caused more problems than it solved.

Carl Imparato, representing San Franciscans for Reasonable Growth, read a paper from that group in which it was stated that the Draft Environmental Impact Report was deceptive and misleading and intended to conceal the overwhelming negative impacts of the project and exaggerate its benefits. With respect to employment, the paper stated that projections of the Association of Bay Area Governments should have been used instead of data arrived at by surveys of the EIR authors.

Other concerns expressed by the group dealt with:

- secondary income generated by the project
- municipal costs
- parking impacts
- public transit impacts, and
- impact on the city's housing stock.

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John Eberling read a letter to the Commission from himself asking that consideration of the approval of the building be held up until after the November when the city will vote on new decreased height limits in the downtown area. His letter further requested that if the Conditional Use were to be granted it should have stipulations regarding:

- garden-like landscaping of the plaza
- an overall Transportations Systems Management Program for all tenants in the building
- full-scale use of roof-top solar collectors
- a commitment by all tenant firms in their leases to participate in CETA Private Industry Council job training/employment programs
- payment to the Housing Development Fund.

Norman Rolf said that the building was not suitable for San Francisco and if the Commission did not reject the building outright, it should postpone action until after the November election.

Sue Hestor said that in the rush of getting approval of this building before the November election, we are losing the sense of what it is to be in a democracy and that the Commission members were presuming upon themselves to thwart the will of the people who in several months will prohibit construction of buildings such as this.

She continued that she had worked hard in 1975 for the election of Mayor Moscone and the appointment of its members to this Commission and was very proud of them at the time. However, these four years later she was disappointed in the Commission for it had become a creature of the department staff. She urged no action until after the election.

Speaking in favor of the proposal was Wray R. Jacobs of Service Employees Local 37. He spoke of the unemployment problems of the city and the fact that the city no longer has the blue-collar jobs it once had. However, the provision of custodial services in high-rise buildings provides some mitigation for this lack.

He felt the high-rise initiative group is an all-white organization whose members can go to the tops of the hills to look over the buildings to enjoy the views. He said that waiting until November to make a decision on the proposal could not be considered democratic.

Commissioner Dearman left the room at 7:15 p.m.

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In answer to Mr. Jacob's questioning Sue Hestor's appearance at public meetings during working hours while she was an employee of the Board of Education, Ms. Hestor stated that she has many hours of accrued compensatory time in addition to four weeks vacation and because she cannot secure her allotted time-off in gross chunks, she uses it to attend public hearings.

Chris Curry said that he shared the concerns already expressed and in light of recent public disclosures of the financial state of ITEL, had additional concern that the city might end up with a half-completed tower or a hole in the ground if the financing should be withdrawn.

Bill Eisen stated that no one here was against growth in the downtown area but did want the amount of growth reduced. Additionally, he felt the new employees in the high rise buildings will have to compete for local housing and this will drive up the cost of both ownership and renting.

At the conclusion of speeches in opposition, Commissioner Rosenblatt called another short recess.

When the meeting was reconvened, Mr. Willie Brown introduced Mr. Ken Hubbard of ITEL who said that the Gerald D. Hines Interests is the owner of and will manage the building. Currently, ITEL and Dean Witter are major prospective tenants but irrespective of whether either elects to default on now-assigned space, the building will be completed and Coldwell-Banker has confirmed the need for this type of off ice space.

Howard Ellman, an attorney working with the sponsor, replied to some of the expressed concerns and also stated that Hines Interests is willing to participate in a Housing Development Fund if one is adopted, or to another program of the city intended to stimulate housing construction.

Commissioner Bierman said that before the Acting Director made his recommendation she wished to make a statement. When she first saw the model of the building she was very excited but in spending a great deal of time studying its impacts, she had to conclude, with deep regret, that she would not be able to vote for it because she believes it wrong to undo the sunshine and pleasures of those few downtown places where they remain. One of the joys of Embarcadero Center is the podium level and many, many people take advantage of

its attractiveness, but it and the plaza of Mutual Benefit Life will be reduced in attractiveness because they will be shaded by the IT&L building. She agonized a great deal over her position on this building and knew that if it is built that it will be beautiful and she will feel badly that she could not have supported a structure so beautiful. Nevertheless, despite this beauty, the building became wrong when its impacts came out this way. She felt that the sponsor and architect were locked into the design without consideration of the loss of sunshine and increase in level of air pollution.

Commissioner Rosenblatt next requested the Director's recommendation and in response Mr. Robert Passmore read a draft resolution recommending approval with stipulations.

Following a discussion between Commissioner Rosenblatt and Mr. Ellman regarding the wording of Item 13 of the Resolution, it was moved by Commissioner Nakashima that Resolution No. 8348 approving the Conditional Use Application No. CU79.12 with stipulations be approved. The motion was seconded by Commissioner Mignola.

Commissioner Starbuck said that he would be unable to vote for the proposal; one reason being that he believed we no longer have the luxury of reviewing major projects on the basis of architectural merit. He felt there should have been more discussion on possible consequence of this and other projects for every EIR looked at in the last one-and-a-half years has shown that there will be a decline in air quality.

Commissioner Starbuck continued that he felt there was something wrong with our system in terms of public costs and revenues resulting from highrise buildings. The city cannot continue down the road as it has for these buildings are going to last 60, 70 or 80 years and will be a drain economically on the city.

Commissioner Rosenblatt, addressing the audience, advised that testimony derogatory to or attacking the integrity of the Commissioners or those testifying would not be tolerated in the future. Furthermore, if anyone felt a conflict of interest existed, the City Attorney should be contacted.

He continued that the Commissioners are severely limited in their operations and are not the people who decide what the city should ultimately be. For the present instance of the forthcoming highrise initiative, members have been advised by the City Attorney

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to conduct their business without reference to the ultimate outcome of the election. And because the initiative appears to be retro-active to early June, there is no reason not to act today or to act today or to postpone action.

He did not deem it his role as a Commissioner to be a legislator or set new policies and while the Department and the Commission had a role in making decisions, that role lies in making recommendations to the legislative body.

Regarding the cumulative impact of buildings, he saw this as extremely difficult with which to deal. As an individual Commissioner he interpreted Dr. Bendix's advice that it is not proper for the Commission to take a single project and make a decision based on its cumulative impact.

With reference that the Commission ought to wait for a decision on this project until the Downtown Study is complete, Commissioner Rosenblatt stated that it was not appropriate to stop dead center with a project and wait until every study is in. When that study is completed the Commission will look at it and if it feels recommendations for changes are in order, these will be made to the Mayor and Board of Supervisors. It is in the foregoing context that he believed this project should be approved.

Commissioner Rosenblatt stated that the building was of a superb design and accusations that the Commission is spending too much time with aesthetics is not warranted. He felt it would be wrong to ignore good design; rather, when good design is presented, it ought to be praised and accepted for to turn it down is the equivalent of saying San Francisco doesn't care. He then commended the architects for their design and also Gerald D. Hines for commissioning them.

When the question was called the vote was four "Ayes" and two "Noes". (Voting "Aye": Commissioners Christensen, Mignola, Nakashima and Rosenblatt; voting "No": Commissioners Bierman and Starbuck; absent: Commissioner Dearman.)

The meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Edward N. Michael
Acting Secretary

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CITY PLANNING COMMISSION
SUMMARY AND MINUTES
OF THE
REGULAR MEETING
HELD
THURSDAY, AUGUST 16, 1979
ROOM 282, CITY HALL
1:00 P.M.

The City Planning Commission met pursuant to notice on Thursday, August 16, 1979, at 1:00 p.m., in Room 282, City Hall.

PRESENT: Toby Rosenblatt, President; John Christensen; Joseph Mignola; Yoshio Nakashima; and Charles Starbuck, members of the City Planning Commission.

ABSENT: Ina F. Dearman, Vice-President and Susan J. Bierman.

The Staff of the Department of City Planning was represented by Rober W. Passmore, Acting Director of Planning; George Williams, Assistant Director; Alec Bash, Planner IV; Barbara Sahn, Joseph Fitzpatrick, Planner III; Xandra Malandra, Planner II; and Edward N. Michael, Acting Secretary.

Gerald Adams represented the San Francisco Examiner, Marshall Kilduff represented the San Francisco Chronicle.

APPROVAL OF MINUTES

The minutes of the regular meeting of August 2, 1979, were unanimously approved.

CURRENT MATTERS

A. Director's Report

Acting-Director Robert W. Passmore briefed the Commission on items which will require review by the Commission in the immediate weeks ahead.

B. Commissioners' Questions and Matters

Commissioner Starbuck reported that the Board of Permit Appeals has upheld two Commission actions: The first, by a three to one vote, upheld the denial of the Hibernia Bank's application for expansion of its branch bank on Valencia Street; the second, by a vote of five to zero, upheld the issuance of the demolition permit for the Lincoln Hotel, 115 Market Street, in preparation for the construction of the new Federal Reserve Bank.

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With respect to the existing Federal Reserve Bank on Sansome Street and the Rincon Annex Post Office on Mission Street, Mr. Starbuck asked that upon the return of the Director from his vacation the staff begin exploration of means of retention and reuse of these structures. Additionally, Commissioner Starbuck noted that the Police Department had issued a cabaret permit for the restaurant at 19th Avenue and Lincoln Way and Mr. Passmore added that the sponsor would be filing a conditional use application for this operation?

In response to Commissioner Mignola's question, "The" Acting Director reported that the Southern Pacific Company would not be appealing the Commission's denial, based on design considerations, of a Building Permit Application; rather, a new design will be submitted for a building which takes into account the unusual shape and location of the site.

President Rosenblatt asked the Acting Director to prepare a resolution for the Commission's consideration on August 23, 1979, which would establish discretionary review for all permits within the Northeast Waterfront Survey Area. For that same area, he asked that the staff begin preparing the necessary background materials for establishing a Special Use District.

CONSIDERATION OF RESOLUTION ENDORSING HOUSING IMPROVEMENTS PROGRAMS IN HAYES VALLEY AND BAYVIEW.

George Williams of the Planning Staff reviewed the proposed residential rehabilitation program for the two areas, noting that in these two communities the lack of support indicated that the RAP program which has been successful in other areas would not succeed here, thus, an alternative. The Housing Improvement Program (HIP), was being recommended. Although there were similarities between RAP and HIP, participation in the latter program would be voluntary on the part of the property owner rather than mandatory, and even after a no-fee building inspection, which is applicable to one and/or two unit buildings only, the owner would not be required to bring his building up to code standards. Following discussion of other aspects of the program which were concerned with financial assistance, rent control, neighborhood public improvements, community participation, etc., it was moved by Commissioner Christensen, seconded by Commissioner Rosenblatt and unanimously carried that resolution No. 8349, endorsing the Housing Improvement Program for the Hayer Valley and Bayview areas by approved.

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CA69.ns2 - CERTIFICATE OF APPROPRIATENESS TO ENLARGE EXISTING STRUCTURE ON A DESIGNATED LANDMARK SITE, CONSTRUCTION OF A GREENHOUSE-TYPE STRUCTURE SIX FEET BY FORTY FEET, ON A TERRACE OF MODESTO LANZONE'S IN GHIRARDELLI SQUARE, 900 NORTH POINT STREET, ASSESSOR'S BLOCK 452, PORTION OF LOT 1.

Edward Michael, Acting Secretary, summarized the application, noting that the Landmarks Preservation Advisory Board had unanimously recommended approval of the plans being displayed before the Commission. It was moved by Commissioner Christensen, seconded by Commissioner Nakashima add unanimously carried that Resolution No. 8350, approving CA70.ns2, which authorizes the work proposed by Building Permit Application 7905323, be approved.

CA79.ns6 - CERTIFICATE OF APPROPRIATENESS TO ERECT A GREENHOUSE-TYPE STRUCTURE IN THE CANNERY COURTYARD, 2801 LEAVENWORTH AND 680 BEACH STREETS, ASSESSOR'S BLOCK 10, PORTIONS OF LOTS 1 AND 2.

The Acting Secretary made the presentation of the proposal to the Commission. He noted that while The Cannery is not a designated landmark, a portion of its courtyard occupies part of the premises of its neighbor, Wharfside or Haslett Warehouse, which is a designated landmark, and part of the proposed structure is on Wharfside property.

The Commission was advised that the Landmarks Preservation Advisory Board had recommended approval of the proposal subject to the exterior color treatment and signs being reviewed by the Advisory Board and approved by the Director of Planning.

Mr. Robert Simpson of Turnbull Associates architects for the proposals was present to represent the applicant.

It was moved by Commissioner Mignola, seconded by Commissioner Starbuck and unanimously carried that Resolution No. 8351, approving CA79.ns6, which authorizes the work proposed by Building Permit Application 7905323, be approved.

RS79.55 - REVIEW FOR CONSISTENCY WITH THE MATTER PLAN OF AN EIGHT-LOT SUBDIVISION AT SOUTHWEST SIDE OF GENEVA AVENUE OPPOSITE BROOKDALE AVENUE, LOTS 4, 6, 7, 8 AND A PORTION OF LOT 9 IN ASSESSOR'S BLOCK 6423.

Mr. Joseph Fitzpatrick of the Department staff explained the proposal and noted that the lot pattern would be similar to the existing neighborhood pattern and otherwise consistent with the intentions of the Master Plan.

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It was moved by Commissioner Starbuck, seconded by Commissioner Nakashima and unanimously carried that Resolution No. 8352, finding that the proposal was consistent with the Master Plan be approved contingent that:

- 1) The sales program for houses in the subdivision shall promote affirmative action in housing, and
- 2) The subdivider shall provide for installation and maintenance of street trees upon construction on the site.

The Commission recessed from 2:15 to 2:30 p.m.

R78.38 - SALE OF CITY PROPERTY ON THE SOUTHEAST SIDE OF ARLINGTON STREET, 156 FEET NORTHEAST OF MIGUEL STREET, LOT 23 IN ASSESSOR'S BLOCK 6689.

A neighborhood resident, Ruth Gravanis stated that nearby residents had not received adequate notice of this proposal and that she felt the parcel had potential as a mini-park and asked postponement of consideration. In the discussion which followed, Mr. Passmore stated that the Recreation and Park Department does not want the site for a park. He said that the monetary considerations aside, i.e., whether it was more or less costly to the City to have the property used as open space for housing, the site is, nevertheless, a housing resource. While he had no objection to a continuance on this matter, he advised that there would not be department staff available to provide input into neighborhood efforts to establish the site as open space.

Commissioner Rosenblatt stated that he was sympathetic to desires of neighborhoods for open space but in reading the staff report, one note's the proximity of other parks to this area.

It was moved by Commissioner Mignola, seconded by Commissioner Nakashima and unanimously carried that the matter be continued to the meeting of October 4, 1979. Prior to leaving the room at 2:52 p.m., President Rosenblatt asked Commissioner Starbuck to assume the Chair.

RS79.10 - 16-UNIT CONDOMINIUM CONVERSION SUBDIVISION AT 2238 HYDE STREET, EAST SIDE BETWEEN LOMBARD AND GREENWICH STREETS, LOT 12 IN ASSESSOR'S BLOCK 71.

(Continued from the Meeting of July 19, 1979.)

Mr. Alec Bash of the Planning staff advised the Commission that the staff had not yet received verification of the required number of intents to purchase or lifetime leases and if these were not presen-

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ted today, the Commission could either continue the matter or disapprove the request in that it did not meet the subdivision code.

Howard Ellman, attorney for the subdivider, said that the required intents to purchase, and lifetime leases had not been secured. He added that there are extremely difficult problems of interpretation with the subdivision ordinance.

In response to Commissioner Mignola, Mr. Bash stated that if the Commission were to deny the resubdivision, the applicant could appeal to the Board of Supervisors after the Director of Public Works makes his findings, nevertheless, the Supervisors would also be bound by the requirement of intents to purchase and lifetime leases provisions of the ordinance. Noting that Russ Raplin, attorney for the tenants, had stated that since the filing of the application, there had been rent increases, Mr. Bash stated that this was a violation of the code and would have to be rescinded before approval of the request for resubdivision.

Ray Taliaferro, a tenant, urged denial of the request.

After further discussion, Alec Bash read the following draft resolution:

SAN FRANCISCO
CITY PLANNING COMMISSION
RESOLUTION NO. 8353

WHEREAS, A Tentative Map for a 16-unit condominium conversion subdivision, dated January 1979, has been referred to the Department of City Planning for review as set forth in the subdivision code on the property described as follows:

2238 Hyde Street, East Side between Lombard and
Greenwich Streets, Lot 12 in Assessor's Block 71; and

WHEREAS, The Department of City Planning duly gave notice and on May 31, 1979, held a public leaving on this subdivision, which public hearing was continued to July 19, 1979 and then to August 16, 1979; and

WHEAREAS, This conversion does not meet the requirements of Section 1388 of the subdivision Code, effective July 6, 1979, concerning tenant intent to purchase, despite a continuance of four weeks in order to allow the subdivider the opportunity to gain such tenant interest in the conversion with its related implications for the housing stock of the City and County of San Francisco, and

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WHEREAS, There are various Master Plan policies which have not been demonstrated or met by this subdivision application;

THEREFORE BE IT RESOLVED, That the City Planning Commission doer hereby find that the subdivision as set forth in the Tentative Map submitted with Referral No. RS79.47 is not consistent with the Master Plan.

It was then moved by Commissioner Nakashima, seconded by Commissioner Christensen and unanimously carried that the above Resolution 8353 be adopted. Commissioner Rosenbaltt was absent.

Note: For the following two items, EE79.157 and EE79.156, a court reporter was present; the transcript is attached following page 8.

EE79.157 - CERTIFICATION OF FINAL ENVIRONMENTAL IMPACT REPORT AMENDMENT IN CONNECTION WITH EE75.304, WEST SIDE TRANSPORT/STORAGE PROJECT, WASTEWATER MANAGEMENT PROGRAM, UNDER THE UPPER GREAT HIGHWAY BETWEEN FULTON STREET AND APPROXIMATELY 1,000 FEET SOUTH OF SLOAT BOULEVARD AND UP TO 2,500 FEET EAST OF ZOO ROAD: COVERING CHANGE PROPOSED IN THE PROJECT AS A RESULT OF A DETERMINATION BY THE REGIONAL WATER QUALITY CONTROL BOARD TO ALLOW AN INCREASE IN THE AVERAGE NUMBER OF ANNUAL OVERFLOWS FROM 1 TO 8.

It was moved by Commissioner Starbuck, seconded by Commissioner Mignola and unanimously carried that Resolution No. 8354 be approved, certifying the completion of the Final Environmental Report Amendment dated August 16, 1979, concerning EE79.157 West Side Transport/Storage Project, Wastewater Management Program Implementation Project IX, and that it is adequate, accurate and objective in compliance with the California Environmental Quality Act and the State Guidelines, and additionally, the Commissioner finds that the project as proposed will not have a significant effect on the environment.

EE79.156 - CERTIFICATION OF FINAL ENVIRONMENTAL IMPACT REPORT AMENDMENT IN CONNECTION WITH EE75.179, SOUTHWEST OUTFALL PROJECT, WASTEWATER MANAGEMENT PROGRAM, AN OUTFALL FOR DISCHARGE OF TREATED EFFLUENT: PROPOSED FOR CONSTRUCTION IN A PORTION OF THE AREA BOUNDED BY SLOAT BOULEVARD, THE SAN FRANCISCO ZOO AND OCEAN BEACH IN ASSESSOR'S BLOCK 7281 AND IN OFFSHORE AREAS IN THE PACIFIC OCEAN EXTENDING IN A SOUTHWESTERLY DIRECTION, FROM A POINT ABOUT 2,500 FEET SOUTH OF THE INTERSECTION OF SLOAT AND THE UPPER GREAT HIGHWAY, FOR ABOUT FOUR MILES.

SUMMARY AND MINUTES OF THE REGULAR MEETING

AUGUST 16, 1979

It was moved by Commissioner Mignola, seconded by Commissioner Nakashima and unanimously carried that Resolution No. 8355 be approved certifying the completion of the Final Environmental Impact Report Amendment, dated August 16, 1979, concerning EE79.156 Southwest Ocean Ourfall Project, San Francisco, Wastewater Master Plan Implementation Program IV, and that it is adequate, accurate and objective in compliance with the California Environmental Quality Act and the State Guidelines, and, additionally, the Commission finds that the project as proposed will not have a significant effect on the environment.

The Commission resessed from 3:45 p.m. to 4:00 p.m.

CONSIDERATION OF DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATIONS NOS. 7905329 AND 7905330 FOR TWO DUPLEX BUILDINGS AT 4531-4533 AND 4535-4537 20TH STREET, LOTS 46 & 47 IN ASSESSOR'S BLOCK 2749.

Ms. Xandra Malandra of the department staff reviewed the proposal of Mr. Baldini, who was present with his architect, Phillip Copland.

Robert Davis, a resident of the immediate area, whose view would be adversely affected by the proposal, felt additionally the structures were inappropriate in that they were flat-roofed structures of six floors (according to his count), sandwiched between two Victorians with pitched roofs. Other testimony requesting discretionary action by the commission was given by Donald Cunningham and 411 Douglass Street and Stella DeBassio.

Photographs were submitted by the applicants and compared with other photos previously submitted by the architect and builder.

Alternate methods of mitigating neighborhood concerns were discussed by the Commission, the builder and the protestants.

With reference to continuing the matter for the sake of arriving at a comprise proposal, Mr. Baldini stated that particularly in these times of high interest rates and spiraling inflation, further delays would wipe him out financially.

After discussion it was moved by Commissioner Starbuck and seconded by Commissioner Nakashima that the Commission agree to submit Building Permit Applications Nos. 7905329 and 7905330 to the Discretionary Review Procedure.

Discussion then ensued regarding what might reasonably be expected to result from a hearing of that type with President Rosen-

SUMMARY AND MINUTES OF THE REGULAR MEETING

AUGUST 16, 1979

blatt noting that when discretionary review is undertaken it is done in the context that modifications to the proposal at hand will be realized. He continued that the Commission had three choices under such review: approve as submitted, approve with modifications, or deny the application. In the event of denial, the applicant could appeal the decision of the Commission to the Board of Permit Appeals.

Mr. Copland stated that modification of the type which would satisfy the appellants would add another six months to the building process, however, he felt that there was no way the buildings could be modified economically for current market conditions. He also said that he would eliminate the elevators in the buildings and this would/result in the uppermost hieght of the buildings being reduced by four feet.

Mr. Copland said he was disturbed because although the buildings meet all code requirements, discretionary review in this situation implied that compliance with the code is not enough to secure a building permit.

After Board discussion, Commissioner Nakashima withdrew his second of Commissioner Starbuck's motion to undertake discretionary review. Commissioner Mignola then seconded the motion.

The Acting Director, when asked for his recommendation stated that to him it appeared that there was a substantial amount of view remaining for affected properties and in that the staff was very hard pressed with its current workload, it could contribute very little time to try to mitigate any adverse affects of the buildings or serve as liaison between the builder and the neighborhood.

Immediately prior to the question being called, Commissioner Rosenblatt stated that the Commission would be voting on the question of undertaking discretionary review with the understanding that there would be no elevators and thus no four-foot high penthouse for such. Mr. Baldini agreed that was his intent.

When the question was called there were two votes in favor of discretionary review and three opposed. Those voting in favor were Commissioners Starbuck and Mignola; opposed were Christensen, Nakashima and Rosenblatt.

It was then moved by Commissioner Christensen, seconded by Commissioner and unanimously carried that Resolution No. 8356 affirming the Preliminary Negative Declaration, amended to include reference to the photographs submitted by the appeal and on August 16, 1979, be approved.

The meeting was adjourned at 6:00 p.m.

Respectfully submitted

Edward N. Michael
Acting Secretary

3/79

SAN FRANCISCO
CITY PLANNING COMMISSION
SUMMARY AND MINUTES
OF THE
REGULAR MEETING
HELD

THURSDAY, AUGUST 23, 1979
ROOM 282, CITY HALL
1:00 P.M.

DOCUMENTS DEPT.

JUN 9 1980

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The City Planning Commission met pursuant to notice on Thursday, August 23, 1979, at 1:00 p.m. in Room 282, City Hall.

PRESENT: Toby Rosenblatt, President; Susan J. Bierman, John Christensen, Joseph Mignola, Yoshio Nakashima and Charles Starbuck, members of the City Planning Commission.

ABSENT: Commissioner Ina F. Dearman.

The staff of the Department City Planning was represented by Robert Passmore, Acting Director of Planning; George Williams, Assistant Director of Planning; Wayne Rieke, Planner IV; Selina Bendix, Environmental Review Officer; Alec Bash, Planner IV; Marie Zeller, Planner IV and Lee Woods, Secretary.

Gerald Adams represented the San Francisco Examiner, Marshall Kilduff represented the San Francisco Chronicle, and Mike Mewhinney represented the San Francisco Progress.

APPROVAL OF MINUTES.

The Minutes of the Regular Meeting of July 5, 1979 were approved unanimously.

CURRENT MATTERS

A. Director's Report

CONSIDERATION OF A RESOLUTION AUTHORIZING THE DIRECTOR OF PLANNING TO ENTER INTO A CONTRACT WITH MICHAEL PAINTER AND ASSOCIATES TO PERFORM WORK RELATED TO THE GREAT HIGHWAY NORTH OF LINCOLN WAY AS A PART OF THE LOCAL COASTAL PROGRAM.

Robert Passmore, Assistant Director of Planning, indicated that a draft resolution was before the Commission.

Commissioner Christensen moved adoption of the draft resolution approving a contract for consultant services with Michael Painter. The motion was seconded by Commissioner Nakashima and approved unanimously as City Planning Commission resolution No. 8357.

Absent: Commissioners Dearman and Mignola.

POLICY STATEMENT ESTABLISHING DISCRETIONARY REVIEW OF ALL PERMIT APPLICATIONS FOR THE NORTHEAST WATERFRONT SURVEY AREA.

Robert Passmore, Assistant Director of Planning, noted that the Discretionary Review Policy would relate to all non-maritime building permit applications. Mr. Passmore said that a recommended Development program and Proposed Design Guidelines and Development Standards had been developed for the Northeastern Waterfront Survey Area. These, he said, will be used as criteria for Discretionary Review.

Tom Yerkes representing the Port of San Francisco, said that there were jurisdictional problems and that the matter should be continued.

Ben Flores, representing the City Attorney's Office, said that he had problems with the language of the draft resolution and urged continuance.

Mr. Passmore said that, regardless of the resolution, the Commission possessed the power of Discretionary Review.

Commissioner Bierman moved approval of the draft resolution containing the following "Resolved" clause.

"THEREFORE BE IT RESOLVED, That the City Planning Commission shall undertake to review all non-maritime projects involving permits required by the City for new buildings, expanding existing buildings or changes in occupancy of existing buildings and hereby establishes a policy of discretionary review of said building permit applications in the Northeastern Waterfront Survey Area as indicated on the attached map, using as criteria for such review the Development Program and Proposed Design Guidelines and Development Standards." The motion was seconded by Commissioner Starbuck and passed unanimously as City Planning Commission resolution No. 8358.

Absent: Commissioners Dearman and Mignola.

R78.6 - SALE OR LEASE OF PROPERTY AT HARNEY WAY AND BAYSHORE FREEWAY IN BRISBANE, SAN MATEO COUNTY.

Alec Bash, Planner IV, indicated that the Commission had, before it, a memorandum from the Acting Director, dated August 23, 1979. He said that the staff recommendation was that the matter be found not to be consistent with the Master Plan.

Commissioner Christensen moved that the Director be authorized to report that the matter is not in Conformity with the Master Plan. The motion was seconded by Commissioner Nakashima and passed unanimously.

Absent: Commissioners Dearman and Mignola.

SUMMARY AND MINUTES OF THE REGULAR MEETING -3- AUGUST 23, 1979

R79.23 - REVOCABLE ENCROACHMENT PERMIT AT 370-380 MONTEREY BOULEVARD, NORTHSIDE BETWEEN DETROIT AND CONGO STREETS, TO OCCUPY PORTION OF SIDEWALK AREA WITH ELEVATOR STRUCTURES, STAIRWAYS, FENCES AND LANDSCAPING.

Alec Bash, Planner IV, noted that the Commission had, before it, a memorandum and addendum, from the Acting Director, dated August 23, 1979.

Mr. Bash said that the staff recommendation was that the Director be authorized to report that the granting of a revocable encroachment permit for the sidewalk area in front of 370-380 Monterey Boulevard for stairways and fences and landscaping, generally as indicated on plans prepared by Fook Z. Lee for "Proposed New Stairs @ Main Entrances & New Concrete Block Wall Along Planting Areas, 370 & 380 Monterey Blvd.", dated April 23, 1979, is in conformity with the Master Plan; the provision of elevator structures within this area, however, is not in conformity with the Master Plan, as they represent a substantial, relatively permanent obtrusion into the public right-of-way, not in character with neighboring properties.

Joseph Hanley, representing Mr. Occhipinti, said that Mr. Occhipinti thought that he had secured the necessary approvals including that of the Arts Commission. Mr. Hanley said that Mr. Occhipinti had assumed that everything was okay.

Mr. Bash restated the staff recommendation.

Commissioner Christensen moved approval of the staff recommendation. The motion was seconded by Commissioner Nakashima and passed unanimously.

Absent: Commissioners Dearman and Mignola.

R79.7 - USE OF SURPLUS FIRE HOUSE AT 1249 CLAYTON STREET, NORTHWEST CORNER AT CARMEL STREET, LOT 9 IN ASSESSOR'S BLOCK 1292, FOR A SHERIFF'S DEPARTMENT WORK FURLOUGH FACILITY FOR 15 TO 20 WOMEN, IN AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT.

(Previously calendared for Commission action August 2, 1979 and continued indefinitely at request of applicant)

Alec Bash, Planner IV, indicated that, by letter, the Sheriff's department had withdrawn its request and that the matter was not before the Commission.

SUMMARY AND MINUTES OF THE REGULAR MEETING -4- AUGUST 23, 1979

CU78.34 - REQUEST FOR AUTHORIZATION OF A MODIFICATION OF AN EXISTING CONDITIONAL USE AT CHILDREN'S HOSPITAL, 3700 CALIFORNIA STREET, THE BLOCK BOUNDED BY CALIFORNIA, CHERRY, SACRAMENTO AND MAPLE STREETS IN RH-2 (RESIDENTIAL, HOUSE, TWO-FAMILY) AND RM-2 (MIXED RESIDENTIAL, MODERATE DENSITY) DISTRICTS ON ASSESSOR'S BLOCK 1016; FOR A FOUR-PHASE REMODELING AND RECONSTRUCTION PROJECT IN WHICH THE REPLACEMENT BUILDING WOULD EXCEED THE 110 FOOT MAXIMUM LENGTH AND THE 140 FOOT MAXIMUM DIAGONAL DIMENSION FOR THAT PART OF THE BUILDING WHICH EXCEEDS 65 FEET IN HEIGHT IN AN 80-E HEIGHT AND BULK DISTRICT AND A PLANNED UNIT DEVELOPMENT TO AUTHORIZE A FLOOR AREA RATIO IN EXCESS OF THE 1.8 TO ONE PERMITTED AND REAR YARDS SMALLER THAN OTHERWISE REQUIRED IN AN RH-2 (HOUSE, TWO-FAMILY) AND RM-2 (MIXED RESIDENTIAL, MODERATE DENSITY) DISTRICTS.

Richard Sklar, General Manager of Public Utilities and Ex-Officio member of the City Planning Commission was present for this public hearing.

A case report was available and was summarized by Robert Passmore, Acting Director of Planning.

After public testimony and discussion by the Commission, Commissioner Eklar moved that the matter be Continued, to provide for additional time for discussion between Children's Hospital, the Health Systems Agency and Department of City Planning staff, to September 6, 1979. The motion was seconded by Commissioner Nakashima and passed unanimously.

Absent: Commissioner Dearman

NOTE: A Certified Court Reporter was present. An official transcript was made and is available, for reference purposes in the file of the Department City Planning.

EE79.236 - APPEAL OF ENVIRONMENTAL IMPACT REPORT REQUIREMENT FOR A 18-STORY BUILDING, 100 MISSION STREET, LOT 1 IN ASSESSOR'S BLOCK 3717.

Robert Passmore, Acting Director of Planning, indicated that the appellant had requested a postponement of thirty days. The staff, he said, recommend the postponement.

Commissioner Bierman moved approval of the staff recommendation for postponement. The motion was seconded by Commissioner Nakashima and passed unanimously.

Absent: Commissioner Dearman.

SUMMARY AND MINUTES OF THE REGULAR MEETING -5- AUGUST 23, 1979

EE76.389 - CONSIDERATION OF CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE SOUTHWEST WATER POLLUTION CONTROL PLANTS; 43-ACRE AREA GENERALLY BOUNDED BY ROAD AND THE SAN FRANCISCO ZOO ON THE NORTH, SKYLINE BOULEVARD ON THE EAST, THE GREAT HIGHWAY EXTENSION AND FORT FUNSTON TO THE SOUTH, AND THE GREAT HIGHWAY EXTENSION ON THE WEST; PORTIONS OF ASSESSOR'S BLOCKS 7281 AND 7282; CONSTRUCTION OF SEWAGE TREATMENT PLANT FOR WESTSIDE DRY WEATHER FLOWS AND CITY-WIDE WET WEATHER FLOWS.

Selina Bendix, Environmental Review Officer, said that the staff recommendation was to certify the final Environmental Impact Report.

Commissioner Nakashima moved approval of the staff recommendation. The motion was seconded by Commissioner Mignola and passed unanimously as City Planning Commission resolution 8359.

Absent: Commissioner Dearman. Abstained: Commissioner Sklar.

DR79.14 - CONSIDERATION OF DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NOS. 7900959, 7900960, AND 7900961 TO BUILD THREE TWO-FAMILY DWELLING UNITS AND SUBDIVIDE A LOT IN AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT WHICH HAS BEEN DESIGNATED FOR PURCHASE BY THE CITY WITH OPEN SPACE ACQUISITION (PROPOSITION J) FUNDS; 100-122 CORWIN STREET NEAR ACME ALLEY, LOT 8 IN ASSESSOR'S BLOCK 2714.

Robert Passmore, Acting Director, indicated that the Applicant was requesting a continuance. The staff recommendation, he said, is that the matter be continued to October 11, 1979.

Commissioner Starback moved approval of the staff recommendation for continuance. The motion was seconded by Commissioner Mignola and passed unanimously.

Absent: Commissioners Dearman and Sklar.

DR79.15 - CONSIDERATION OF DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NOS. 7903527, 7903528 and 7903529 TO BUILD THREE TWO-FAMILY DWELLING UNITS AND TO DEMOLISH TWO BUILDINGS WITH THREE DWELLING UNITS AND TWO GARAGES FOR FOUR CARS IN AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT; 1375-1379 - 47TH AVENUE BETWEEN IRVING AND JUDAH STREETS, LOTS 10A AND 11 IN ASSESSOR'S BLOCK 1802.

President Rosenblatt indicated that the applicant had requested a continuance to September 6, 1979.

SUMMARY AND MINUTES OF THE REGULAR MEETING -6- AUGUST 23, 1979

Commissioner Bierman moved that the matter be continued to September 6, 1979.

The motion was seconded by Commissioner Mignola and passed unanimously.

Absent: Commissioners Dearman and Sklar.

The meeting was adjourned at 8:30 P.M.

Respectfully Submitted

Lee Woods
Secretary

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After some discussion, Commissioner Mignola moved approval of a draft resolution containing the following "RESOLVED" clause: "THEREFORE BE IT RESOLVED, That the Director of Planning be authorized to amend the contract between the Department of City Planning and Sedway/Cooke by increasing the contract in an amount not to exceed Twenty-five Hundred Dollars for the purpose of providing consultant services for the Downtown Conservation and Development Study to study economic issues related to guiding the

location of new development and major rehabilitation within the Downtown under current zoning controls as modified by the Downtown initiative or by future legislative action." The motion was seconded by Commissioner Nakashima and passed by a vote of 5-1 as City Planning Commission Resolution No. 8362.

Voting No: Commissioner Starbuck

Absent: Commissioner Sklar

B. Commissioners' Questions and Matters

- EE79.248 - APPEAL OF NEGATIVE DECLARATION FOR ONE SINGLE-FAMILY DWELLING; HOLLADAY AVENUE AND JOY STREET, LOT 2 IN ASSESSOR'S BLOCK 5577; TWO STORIES ABOVE GARAGE, TWO PARKING SPACES, REQUIRING BUILDING PERMIT APPLICATION NO. 7805852.

Robert Passmore, Acting Director of Planning, indicated that the appeal had been withdrawn and that there was no Commission action required.

- EE79.250 - APPEAL OF NEGATIVE DECLARATION FOR LURMONT TERRACE CONDOMINIUMS; 2229-2231 LEAVENWORTH STREET, 1033-1037 AND 1065-1067 LOMBARD STREET AND 44 LURMONT TERRACE, Lots 4, 21A and 25-28 IN ASSESSOR'S BLOCK 71; 18 UNITS; 11 NEWLY CONSTRUCTED UNITS, 6 FLOORS; CONVERSION OF 3-UNIT APARTMENT BUILDING TO 4 CONDOMINIUM UNITS AND RETENTION OF EXISTING 3-UNIT BUILDING, 26 PARKING SPACES AND DEMOLITION OF 2-UNIT APARTMENT BUILDING, 8-CAR CARPORT AND COTTAGE, REQUIRING VARIANCE AND CONDITIONAL USE AUTHORIZATION (CU79.53).

Robert Passmore, Acting Director of Planning, said that the major difference between what had been proposed and what was now proposed was a revised access route. The project now proposes, he said, an underground driveway from Leavenworth Street.

The project sponsor, Harold Baxter, said that the underground driveway would be located beneath the Glumac property, that he had an option to purchase the Glumac property and that there was the possibility of his purchase of the Torrey property.

Antonio Rossman, an attorney, represented the appellant. He said that he had a petition of ninety (90) signatures of neighbors who supported the appeal.

William Coblentz, an attorney, represented the project sponsor.

Mr. Rossman said that the proposed underground garage, as mitigation would not help. With the possible inclusion of the Glumac and Torrey property, the project is getting bigger, he said. The issue, Mr. Rossman said, is the extent of public disclosure related to the project. He concluded by saying that the analysis of alternatives in the environmental evaluation, was inadequate.

Harold Baxter, the project sponsor, said that the current proposal represented a reduction in height and bulk. Our buildings would be set back to minimize view blockage, and vehicular impacts will be negligible, he said. He said that the proposal responded to all the requirements of RH-3 Zoning.

Vera Brown, a resident at 1079 Lombard Street, argued that the proposal was totally conforming and that an Environmental Impact Report should not be required.

Jim Wizner, resident of the neighborhood, spoke in favor of the proposal.

Alfonso Zirpoli, a Greenwich Street resident, said that the size of the project and the uniqueness of the site made an Environmental Impact Report necessary.

David Arnason, resident of the neighborhood, said that the newly proposed access scheme was impractical.

Selina Bendix, Environmental Review Officer, said that the staff of the Office of Environmental Review, had treated the revised proposal as a new project. It is possible, she said, for the impact of mitigation measures to exceed the impact of a project itself.

Robert Passmore, Acting Director of Planning, said that the staff recommendation was that the Commission sustain the Negative Declaration.

Commissioner Nakashima moved approval of the staff recommendation. The motion died for lack of a second.

Commissioner Bierman moved to sustain the appeal and to require an Environmental Impact Report. The motion was seconded by Commissioner Dearman.

President Rosenblatt said that he could not vote for an Environmental Impact Report. In character, he said, the revised proposal is the same project, and it would seem to have fewer possible impacts.

Commissioner Bierman said that there was a significant degree of controversy and that the Environmental Impact Report was necessary.

The motion to sustain the appeal and to require an Environmental Impact Report passed by a vote of 4-2 as City Planning Commission Resolution No. 8360.

Voting No: Commissioners Nakashima and Rosenblatt.
Absent: Commissioner Sklar

At approximately 4:00 p.m. the Commission recessed. It reconvened at approximately 4:20 p.m.

EE/8.178 - CONSIDERATION OF CERTIFICATION OF FINAL ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED OCEAN BEACH PARK ESTATES (AT PLAYLAND-AT-THE-BEACH); IN THE AREA GENERALLY BOUNDED BY SUTRO HEIGHTS PARK, BALBOA STREET, LA PLAYA, FULTON STREET AND THE GREAT HIGHWAY; ALL OF ASSESSOR'S BLOCKS 1592, 1595, AND 1692 AND LOTS 19, 25, AND 35 IN ASSESSOR'S BLOCK 1596; FOR A PLANNED UNIT DEVELOPMENT CONSISTING OF FOUR PARCELS WITH ABOUT 10 ACRES.

After her brief discussion of the Comments and Responses of the final Environmental Impact Report (EIR), Barbara Sahm, Assistant Environmental Review Officer, said that the staff recommendation was to certify the final Environmental Impact Report and to find that there would be a significant effect.

The staff recommendation was moved by Commissioner Nakashima, seconded by Commissioner Bierman and passed unanimously as City Planning Commission Resolution No. 8361.

Absent: Commissioner Sklar

NOTE: A certified court reporter was present. An official transcript has been made and is available, for reference purposes, in the files of the Department of City Planning.

CONSIDERATION OF ISSUE NO. 5, THE "PLAYLAND SITE," AS A PART OF THE LOCAL COASTAL PROGRAM, PURSUANT TO THE REQUIREMENTS OF THE CALIFORNIA COASTAL ACT OF 1976.

For the purpose of taking public testimony, the Commission agreed to consider, simultaneously, the following items:

ZM179.44 - REQUEST FOR RECLASSIFICATION OF PROPERTY LOCATED EAST AND WEST OF LA PLAYA, NORTH OF CABRILLO STREET, A PORTION OF LOT 1 IN ASSESSOR'S BLOCK 1592, A PORTION OF LOTS 1 AND 2 IN BLOCK 1595, AND LOTS 19 AND 25 IN BLOCK 1596, FROM AN RH-2 (HOUSE, TWO-FAMILY) TO AN RM-1 (MIXED RESIDENTIAL, LOW DENSITY) DISTRICT.

CU78.32 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE FOR A PLANNED UNIT DEVELOPMENT GENERALLY ON THE THREE AND ONE-HALF BLOCK APEA FORMERLY OCCUPIED BY PLAYLAND-AT-THE-BEACH AMUSEMENT PARK, ALL OF ASSESSOR'S BLOCKS 1592, 1595, AND 1692, LOTS 19, 25, 35 IN BLOCK 1596, TO ALLOW EXCEPTIONS TO THE REAR YARD AND DENSITY PROVISIONS OF THE SAN FRANCISCO CITY PLANNING CODE, TO ALLOW DEVELOPMENT OF UP TO 616 UNITS OF HOUSING FOR FAMILIES AND 20 UNITS FOR ELDERLY WITH APPROXIMATELY 28,000 SQUARE FEET OF RECREATION AND 50,000 SQUARE FEET OF COMMERCIAL FACILITIES IN RH-2 (HOUSE, TWO-FAMILY), RM-1 (MIXED RESIDENTIAL, LOW DENSITY) AND C-1 (NEIGHBORHOOD SHOPPING) DISTRICT.

REVOCABLE ENCROACHMENT PERMIT FOR CLOSING AND USE OF LA PLAYA STREET BETWEEN BALBOA AND CABRILLO STREETS.

REVOCABLE ENCROACHMENT PERMIT FOR USE OF CABRILLO STREET BETWEEN LA PLAYA STREET AND THE GREAT HIGHWAY.

SALE OR LEASE OF PROPERTY AT LA PLAYA STREET AND BALBOA STREETS, EXISTING MUNI TURNAROUND.

At the conclusion of public testimony and extensive discussion of the project, Commissioner Bierman moved approval of Item No. 5 (Consideration of Issue No. 5, the "Playland Site", as a part of the Local Coastal Program, pursuant to the requirements of the California Coastal Act of 1976), Item No. 6 (ZM79.44) and Item No. 7 (CU78.32). The motion was seconded by Commissioner Nakashima.

Item No. 5, "Consideration of Issue No. 5, the "Playland Site", as a part of the Local Coastal Program, pursuant to the requirements of the California Coastal Act of 1976, was approved unanimously as City Planning Commission Resolution No. 8363.

Absent: Commissioner Sklar

Item No. 6, ZM79.44, was approved unanimously as City Planning Commission Resolution No. 8364.

Absent: Commissioner Sklar

AUGUST 30, 1979

Item No. 7, CU78.32, was approved unanimously as City Planning Commission Resolution No. 8365.

Absent: Commissioner Sklar

NOTE: A certified Court reporter was present. An official transcript has been made and is available, for reference purposes in the files of the Department of City Planning.

With respect to Item No. 8, "Revocable Encroachment Permit for closing and use of LA PLAYA STREET between Balboa and Cabrillo Streets", Item No. 9, "Revocable Encroachment Permit for use of CABRILLO STREET between La Playa Street and the Great Highway", and Item No. 10, "Sale or Lease of Property at LA PLAYA STREET AND BALBOA STREETS, existing MUNI turnaround", Commissioner Nakashima moved the Commission's intent to approve and that the Director of Planning be authorized to treat, administratively, formal Master Plan Referrals when received by the Department. The motion was seconded by Commissioner Bierman and passed unanimously.

Absent: Commissioner Sklar

NOTE: A certified Court reporter was present. An official transcript has been made and is available for reference purposes in the files of the Department of City Planning.

Adjournment 11:15 p.m.

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SAN FRANCISCO
CITY PLANNING COMMISSION
MINUTES
OF THE
REGULAR MEETING
HELD
THURSDAY
SEPTEMBER 6, 1979
ROOM 282, CITY HALL
1:30 P.M.

DOCUMENTS DEPT.

JUN 9 1980

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The City Planning Commission met pursuant to notice on Thursday, September 6, 1979, at 1:30 p.m. in Room 282, City Hall.

PRESENT: Toby Rosenblatt, President; Ina F. Dearman, Vice-President; Susan J. Bierman, John Christensen, Joseph Mignola, Yoshio Makashima and Charles Starbuck, members of the City Planning Commission.

ABSENT: None

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; Milton Edelin, Deputy Director of Planning; Robert Passmore, Assistant Director of Planning; Marie Zeller, Planner III, Mary Anne Miller, Planner II and Lee Woods, Secretary.

Marshall Kilduff represented the San Francisco Chronicle. Mike Mewhinney represented the San Francisco Progress.

CURRENT MATTERS

Director's Report

CONSIDERATION OF A RESOLUTION URGING THE PURCHASE BY THE NATIONAL PARK SERVICE OF THE ENTIRETY OF ASSESSOR'S BLOCK 1592 FOR ADDITION TO THE GOLDEN GATE NATIONAL RECREATION AREA.

Rai Okamoto, Director of Planning, indicated that the intent of this resolution and the companion resolution had arisen in the context of the Commission's approval of the Ocean Beach Park Estates project.

Representing the Real Estate Department, Robert Lavell said that endorsement of acquisition, by the National Park Service, of Assessor's Block 1592 could be in conflict with City policy. In the context of the Wastewater Program, the City has an interest in that property, he said.

Amy Meyer, Co-chairperson of People for a Golden Gate National Recreation Area (GGNRA) testified that the Recreation and Park Commission had no intent to purchase Assessor's Block 1592.

Commissioner Mignola, representing the Chief Administrative Officer, expressed fear that there could be conflicts, between the possible location of Wastewater Program facilities on Assessor's Block 1592 and in the area of the proposed open space strip running from Golden Gate Park and Sutro Heights Park, and GGNRA acquisition of Block 1592 and the proposed open space strip.

President Rosenblatt said that it was not the Commission's intent to cause anything to conflict with the Wastewater Program.

After a brief discussion, Commissioner Bierman moved approval of a draft resolution containing the following "Resolved Clause":

"THEREFORE BE IT RESOLVED, That the City Planning Commission encourages the ultimate ownership and maintenance of Block 1592 by the National Park Service for inclusion in the Golden Gate National Recreation Area in the belief that to preserve it as open space is its most appropriate use."

The motion was seconded by Commissioner Dearman and passed unanimously as City Planning Commission Resolution No. 8366.

CONSIDERATION OF A RESOLUTION URGING THE CITY TO DONATE A STRIP OF LAND APPROXIMATELY 35' TO 60' FEET WIDE ON THE EAST SIDE OF THE GREAT HIGHWAY BETWEEN GOLDEN GATE PARK AND SUTRO HEIGHTS PARK TO THE NATIONAL PARK SERVICE FOR INCLUSION IN THE GOLDEN GATE NATIONAL RECREATION AREA.

Rai Okamoto, Director of Planning, noted that a draft resolution was before the Commission.

After a brief discussion, Commissioner Bierman moved approval of a draft resolution containing the following "Resolved Clause":

"THEREFORE BE IT RESOLVED, That the City Planning Commission encourages the City and County of San Francisco ultimately subject to coordination with the Wastewater Management Program to donate the improved planted and established public corridor located to the west of Assessor's Blocks 1595 and 1692 (part of the site formerly known as Plyland-at-the-Beach) to the National Park Service for inclusion in the Golden Gate National Recreation Area, so that it can be maintained for public enjoyment."

The motion was seconded by Commissioner Dearman.

Commissioner Mignola said that the draft resolution did not make adequate reference to the possible location of Wastewater Program facilities in the area of the proposed open space strip.

The motion for approval passed unanimously as City Planning Commission Resolution No. 8367.

CU79.57 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE AT 791 7TH AVENUE, WEST SIDE BETWEEN FULTON AND CABRILLO STREETS, LOT 11 IN ASSESSOR'S BLOCK 1650, TO PERMIT A CHILD CARE FACILITY FOR 24 CHILDREN, IN AN RM-3 (MIXED RESIDENTIAL, MEDIUM DENSITY) DISTRICT INITIATED BY THE BOARD OF SUPERVISORS FOR AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT.

The Commission agreed to waive a presentation of the case report. Robert Passmore, Assistant Director of Planning, said that the staff recommendation was for approval with conditions.

Thomas Mullock, a resident of the area, said that he was opposed to the proposal. It will produce additional traffic congestion, he said.

Jan Burchee, speaking on behalf of the applicant, said that there would be no additional traffic burden on the neighborhood.

Commissioner Bierman moved approval of the staff recommendation. The motion was seconded by Commissioner Nakashima and passed by a vote of 6-1 as City Planning Commission Resolution No. 8368. Voting No: Commissioner Dearman.

CU79.47 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE AT 2518 JACKSON STREET, NORTH SIDE BETWEEN STEINER AND PIERCE STREETS, LOT 6 IN ASSESSOR'S BLOCK 586, TO CONSIDER ESTABLISHMENT OF CONDITIONS OF OPERATION FOR AN AUTOMATIC CONDITIONAL USE FOR THE DREW SCHOOL AND J.F.K. UNIVERSITY, IN AN RH-1 (HOUSE, ONE-FAMILY) DISTRICT.

A case report was available and summarized by Robert Passmore, Assistant Director of Planning. He concluded by saying that the purpose of the hearing was to consider the establishment of conditions for an automatic conditional use.

Robert Call, Principal of Drew School, testified that the school's intent had been always to be a good neighbor, that the school was prepared to do everything possible to avoid creating problems and that the school had no desire to purchase additional property in the neighborhood.

Debbie Kirshman, representing the John F. Kennedy University said that the school had encouraged its students, in the museum studies program, to use public transit and car-pools. Our students, she said, never exceed fifteen (15) at any one time. She said, that the University had every expectation to remain to the expiration of its lease.

Gilbert Graham, an attorney, represented neighbors opposed to the extension of conditional use approval to Drew School. Mr. Graham said that Lincoln Law School had abandoned its use of the site and that therefore Drew's use could not be looked upon as automatic. Further, he said that Drew School had expanded the

educational use beyond Lincoln's. The number of students and buildings has increased, and in addition, there is the John F. Kennedy lease, he said. Mr. Graham said traffic congestion was a serious problem in the area and that at least, Drew School should not be permitted to expand further.

At this time, Commissioner Christensen left the meeting.

Charles Haghner of the Pacific Heights Residents Association, said that the school produced negative impacts in the neighborhood.

Meredith Lightfoot, a Pacific Heights resident, said that parking was already extremely difficult.

Mr. Passmore indicated that there was a draft resolution before the Commission.

Commissioner Bierman said that she could not support the condition in the draft resolution, requiring the termination of John F. Kennedy University prior to December 31, 1979.

President Rosenblatt said that, in his belief, occupancy of the premises should be limited to a maximum of eighty (80) students.

Commissioner Bierman moved the Commission's intent to approve conditions which would relate to the extension of conditional use to Drew School. The staff should prepare a resolution for next week's meeting, she said.

The motion of intent to approve was seconded by Commissioner Nakashima and passed unanimously.

CU79.53 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE AT 1033-37 AND 1065-67 LOMBARD STREET, SOUTH SIDE, 44 LURMONT TERRACE, WEST END, AND 2229-31 LEAVENWORTH STREET, WEST SIDE, LOTS 4, 21A, 25, 26, 27 AND 28 IN ASSESSOR'S BLOCK 71, FOR CONSTRUCTION OF 11 DWELLING UNITS, CONVERSION OF THREE UNITS INTO FOUR UNITS, AND RETENTION OF 3 UNITS, FOR A TOTAL OF 18 UNITS ON PARCELS TOTALING 23,700 SQUARE FEET IN AREA, WHEN 1,000 SQUARE FEET IS REQUIRED PER UNIT, AND CONSTRUCTION OF A COMMUNITY GARAGE OF 23 SPACES IN AN RH-3 (HOUSE, THREE-FAMILY) DISTRICT.

Subsequent Commission action, requiring that an Environmental Impact Report be prepared, precluded action on this item.

CU78.34 - REQUEST FOR AUTHORIZATION OF A MODIFICATION OF AN EXISTING CONDITIONAL USE AT CHILDREN'S HOSPITAL, 3700 CALIFORNIA STREET, THE BLOCK BOUNDED BY CALIFORNIA, CHERRY, SACRAMENTO AND MAPLE STREETS IN RH-2 (RESIDENTIAL, HOUSE, TWO-FAMILY) AND RM-2 (MIXED RESIDENTIAL, MODERATE DENSITY) DISTRICTS IN ASSESSOR'S BLOCK 1016; FOR A FOUR-PHASE REMODELING AND RECONSTRUCTION PROJECT IN WHICH THE REPLACEMENT BUILDING WOULD EXCEED THE 110 FOOT MAXIMUM LENGTH AND THE 140 FOOT MAXIMUM DIAGONAL DIMENSION FOR THAT PART OF THE BUILDING WHICH EXCEEDS 65 FEET IN HEIGHT IN AN 80A HEIGHT AND BULK DISTRICT AND A PLANNED UNIT DEVELOPMENT TO AUTHORIZE A FLOOR AREA RATIO IN EXCESS OF THE 1.8 TO ONE PERMITTED AND REAR YARDS SMALLER THAN OTHERWISE REQUIRED IN AN RH-2 (HOUSE, TWO-FAMILY) AND RM-2 (MIXED RESIDENTIAL, MODERATE DENSITY) DISTRICTS.
(Continued from the Meeting of August 23, 1979)

President Rosenblatt noted that the hearing had been continued from August 23, 1979.

Robert Passmore, Assistant Director of Planning indicated that the Department was prepared to recommend approval with conditions. He proceeded to discuss the draft resolution which had been placed before the Commission.

After discussion and amendment of the draft resolution, the Commission took public testimony. At the conclusion of public testimony, Commissioner Nakashima moved approval of the staff recommendation. The motion was seconded by Commissioner Sklar and passed by a vote of 4-3 as City Planning Commission Resolution No. 8370. Voting yes: Commissioners Mignola, Nakashima, Rosenblatt, Sklar; voting no: Commissioners Bierman, Dearman and Starbuck.

NOTE: A Certified Court recorder was present. An official transcript has been made and is available for reference purposes in the files of the Department of City Planning.

DR79.15 - CONSIDERATION OF DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NOS. 7903527, 7903528, and 7903529 TO BUILD THREE TWO-FAMILY DWELLING UNITS AND TO DEMOLISH TWO BUILDINGS WITH THREE DWELLING UNITS AND TWO GARAGES FOR FOUR CARS IN AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT; 1375-1379 - 47TH AVENUE BETWEEN IRVING AND JUDAH STREETS, LOTS 10A and 11 IN ASSESSOR'S BLOCK 1802.
(Continued from the Meeting of August 23, 1979)

Robert Passmore, Assistant Director of Planning, said that the staff recommendation was to continue this matter to September 13, 1979.

Commissioner Mignola moved approval of the staff recommendation. The motion was seconded by Commissioner Nakashima and passed unanimously.

Ajournment: 7:30 p.m.

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SAN FRANCISCO
CITY PLANNING COMMISSION
SUMMARY AND MINUTES
OF THE
REGULAR MEETING
HELD

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THURSDAY, SEPTEMBER 13, 1979
ROOM 282, CITY HALL
1:30 P.M.

The City Planning Commission met pursuant to notice on Thursday, September 13, 1979, at 1:30 p.m. in Room 282, City Hall.

PRESENT: Toby Rosenblatt, President; Ina F. Dearman, Vice-President; Susan J. Bierman; John Christensen; Joseph Mignola; Yoshio Nakashima; and Charles Starbuck; members of the City Planning Commission.

ABSENT: None

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; Robert Passmore, Assistant Director of Planning; Edward Green, Planner III, Mariann Miller, Planner II, and Lee Woods, Secretary.

Current Matters

A. Director's Report

CONSIDERATION OF A RESOLUTION TO ESTABLISH A POLICY OF DISCRETIONARY REVIEW OF ALL APPLICATIONS FOR NEW, ENLARGED OR MODIFIED BUILDINGS AND ALL NEW, EXPANDED OR CONVERTED USES ON PROPERTY WITHIN THE FOLLOWING COMMERCIAL DISTRICTS PROPOSED BY THE BOARD OF SUPERVISORS FOR RECLASSIFICATION TO RC (RESIDENTIAL-COMMERCIAL COMBINED) DISTRICTS:

1. 24TH STREET BETWEEN VALENCIA AND POTRERO
2. SACRAMENTO STREET BETWEEN LYON AND SPRUCE
3. HAIGHT STREET BETWEEN CENTRAL AND STANYAN
4. CASTRO STREET BETWEEN 19TH AND MARKET;
18TH STREET BETWEEN DIAMOND AND HARTFORD;
19TH STREET BETWEEN CASTRO AND COLLINGWOOD
5. MARKET STREET BETWEEN CASTRO AND VALENCIA
6. VALENCIA STREET BETWEEN 14TH AND ARMY

AND, IN ADDITION, TO HOLD DISCRETIONARY REVIEW AS LISTED ABOVE ON THE FOLLOWING STREETS FOR WHICH MORATORIALS HAVE BEEN PROPOSED FOR CERTAIN USES:

1. 24TH STREET, DIAMOND TO CHATTANOOGA
2. FILLMORE STREET, BUSH TO JACKSON
CALIFORNIA STREET, STEINER TO FILLMORE
PINE STREET, STEINER TO FILLMORE;
BUSH STREET, STEINER TO FILLMORE

AS SHOWN ON MAPS ON FILE AND AVAILABLE AT THE CITY
PLANNING DEPARTMENT.

Rai Okamoto, Director of Planning, indicated that there was a draft resolution before the Commission. Marianne Miller, Planner II, said that the resolution would cause automatic Discretionary Review of certain uses on those streets to which reference is made in the resolution. The intent, she said, is to continue interim controls pending action, by the Board of Supervisors, on the reclassifications.

Commissioner Dearman moved approval of the draft resolution containing the following "resolved" clauses:

"THEREFORE BE IT RESOLVED, That the City Planning Commission finds that the public necessity, convenience and general welfare require that the Commission hereby establish a policy of reviewing under its discretionary powers all applications for new, enlarged or modified buildings and all new, expanded or converted uses of any type described in the various above mentioned moratoriums, proposed special use districts, and temporary R-C reclassifications on property described below; and furthermore requests that the Department of City Planning bring to the Commission's attention for possible discretionary review all other applications which in the opinion of the Department of City Planning might be detrimental to the character and stability of the commercial and adjacent residential areas described below";

"BE IT FURTHER RESOLVED, That this policy of discretionary review shall be effective until the enactment of permanent controls on the following streets:

SACRAMENTO STREET between Lyon and Spruce Streets;
CASTRO STREET between 19th and Market Streets;
18TH STREET between Diamond and Hartford Streets;
19TH STREET between Castro and Collingwood Streets;
MARKET STREET between Castro and Valencia Streets;
VALENCIA STREET between 14th and Army Streets;
HAIGHT STREET between Central and Stanyan Streets;
24TH STREET between Valencia and Potrero Streets;
24TH STREET between Diamond and Chattanooga Streets;
FILLMORE STREET between Bush and Jackson Streets;
CALIFORNIA STREET between Steiner and Fillmore Streets;
PINE STREET between Steiner and Fillmore Streets;
BUSH STREET between Steiner and Fillmore Streets;

as generally described on maps on file at the Department of City Planning".

The motion was seconded by Commissioner Bierman and passed unanimously as City Planning Commission resolution no. 8372.

CONSIDERATION OF A RESOLUTION FOR THE AUTHORIZATION OF CONDITIONAL USE AT 2518 JACKSON STREET, NORTH SIDE BETWEEN STEINER AND PIERCE STREETS, LOT 6 IN ASSESSOR'S BLOCK 586, TO CONSIDER ESTABLISHMENT OF CONDITIONS OF OPERATION FOR AN AUTOMATIC CONDITIONAL USE FOR THE DREW SCHOOL AND J.F.K. UNIVERSITY, IN AN RH-1 (HOUSE, ONE-FAMILY) DISTRICT.

Robert Passmore, Assistant Directary Planning, noted that this matter had been continued in order for the staff to return to the Commission with draft conditions which would apply to J.F.K. University. He indicated that there was a draft resolution before the Commission. Mr. Passmore said that the resolution contained conditions requiring the termination of J.F.K. University on or before June 30, 1983, and limiting its hours of operation to 5:00 p.m. to 10:00 p.m., Monday through Thursday.

Debbie Kirshman, Representing J.F.K. University asked that the conditions be amended to permit operations from 5:00 p.m. through 10:30 p.m., Monday through Friday, and she asked that the maximum number of students allowed be increased to forty (40) or fifty (50).

Gilbert Graham, an attorney representing residents from the neighborhood, said that there was no legal authority to Authorize J.F.K. University to continue operation. Further, he said that students should not be permitted to drive to the University, that it should be closed on fridays and that it should close each evening at 9:00 p.m. Mr. Graham concluded by saying that there had not been a Zoning Administrator decision related to J.F.K. University.

Commissioner Dearman said that, in her view, the conditions being attached to J.F.K. University were too restrictive. Commissioner Bierman said that she could not agree to imposed a mandatory termination on J.F.K. University.

Commissioner Bierman moved approval of the draft resolution. The motion was seconded by Commissioner Starbuck.

Commissioner Dearman moved that condition nos. 3 and 4 be amended to read as follows:

3. The present tenancy of the John F. Kennedy University Center for Museum Studies of the subject property shall be terminated on or before June 30, 1983 unless said date is extended by the City Planning Commission upon the hearing of a request filed by John F. Kennedy University by April 30, 1983 and no uses other than the Drew School, including other programs of the John F. Kennedy University, shall be permitted to occupy the premises, even on a temporary or short-term basis, with the exception of meeting area for local neighborhood organizations.

4. Hours of operation for the regular classroom activities of the Drew School shall be limited to 8:00 A.M. to 4:00 P.M., Monday through Friday and the regular classroom activities of the John F. Kennedy University shall be limited to the hours of 5:00 P.M. to 10:00 P.M., Monday through Friday.

The motion to amend was seconded by Commissioner Bierman and passed by a vote of 4-3. Voting yes: Commissioners Bierman, Dearman, Mignola and Nakashima. Voting no: Commissioners Christensen, Rosenblatt and Starbuck.

The motion on the original resolution as amended passed by a vote of 4-3 as City Planning Commission resolution no. 8372. Voting yes: Commissioners Bierman, Dearman, Mignola and Nakashima. Voting no: Commissioners Christensen, Rosenblatt and Starbuck.

CU79.62(DR) - 2095 UNION STREET, SOUTHEAST CORNER AT WEBSTER STREET; LOT 15A IN ASSESSOR'S BLOCK 541; PROPOSAL TO EXPAND AN EXISTING BRANCH BANK INTO OFFICES EXISTING ON THE SECOND FLOOR WITHIN THE PROPOSED UNION STREET SPECIAL USE DISTRICT.

A case report was available. It was summarized by Mary Anne Miller, Planner II.

Ms. Miller said that the Golden Gate Valley Neighborhood Association was not opposed to the project. Ms. Miller said that the staff recommendation, in so far as the proposal conformed to the specifications of the proposed special use district, was for approval.

George Dolan, of the firm of Hertzka & Knowles, represented the applicant.

Bill Clark, President of the Cow Hollow Association, said that the association was not opposed.

Commissioner Nakashima moved Approval of the staff recommendation for approval. The Motion was seconded by Commissioner Christensen, and passed by a vote of 4-3 as City Planning Commission resolution no. 8373. Voting yes: Commissioners Bierman, Christensen, Nakashima and Rosenblatt. Voting no: Commissioners Dearman, Mignola and Starbuck.

CA78.31 - APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS AT 1265 BATTERY STREET, SOUTHWEST CORNER OF GREENWICH STREET (ITALIAN SWISS COLONY BUILDING), IN ASSESSOR'S BLOCK 84, ON A PORTION OF LOT 1, FOR CHANGES TO THE BUILDING, A DESIGNATED LANDMARK, CONSISTING OF A GLASS PAVILION TO BE ADDED TO THE SOUTH SIDE OF THE BUILDING, AND REHABILITATION OF OTHER PARTS OF THE BUILDING, AN AMENDMENT OF A PREVIOUSLY-AUTHORIZED CERTIFICATE OF APPROPRIATENESS.

Robert Passmore, Assistant Director Planning, said that the applicant had requested a continuance and that the staff recommended the continuance.

The staff recommended for continuance to September 20, 1979 was moved by Commissioner Dearman, seconded by Commissioner Bierman and passed unanimously.

R79.45 - REDUCTION OF SIDEWALK ON THE NORTH SIDE OF UNION STREET BETWEEN SANSOME STREET AND BATTERY STREET (LEVI'S PLAZA).

Charles Gill, City Planning Coordinator, said that the reduction of sidewalk was being proposed to provide for two (2) twelve feet (12') lanes for traffic. The staff recommendation is that this matter be found in conformity with the Master Plan, he said.

Commissioner Dearman moved that the Director be authorized to report that the matter is in conformity with the Master Plan. The motion was seconded by Commissioners Nakashima and passed by a vote of 6-1.

Voting no: Commissioner Starbuck.

DR79.17 - CONSIDERATION OF DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NO. 7907427 TO REMODEL AN EXISTING GROUND STORY COMMERCIAL SPACE FOR THE OFFICES OF A SAVINGS AND LOAN ASSOCIATION IN A C-2 (COMMUNITY BUSINESS) DISTRICT AT 835 KEARNY STREET BETWEEN JACKSON AND WASHINGTON STREET; LOT 3 IN ASSESSOR'S BLOCK 194.

Robert Passmore, Assistant Director of Planning, said that the staff recommendation was that the Commission take Discretionary Review.

Commissioner Dearman moved approval of the staff recommendation for Discretionary Review. The motion was seconded by Commissioner Mignola and passed unanimously.

DR79.17 - DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NO. 7907427 TO REMODEL AN EXISTING GROUND STORY COMMERCIAL SPACE FOR THE OFFICES OF A SAVINGS AND LOAN ASSOCIATION IN A C-2 (COMMUNITY BUSINESS) DISTRICT AT 835 KEARNY STREET BETWEEN JACKSON AND WASHINGTON STREET; LOT 3 IN ASSESSOR'S BLOCK 194.

Mary Anne Miller, Planner II, said that Discretionary Review had been requested by the Chinatown Neighborhood Resource Center. Their concern, she said, had been the expansion of the bank's commercial frontage along the street.

Ms. Miller said that the recommendation was for approval with the condition that the bank not be permitted to expand its commercial frontage beyond the existing twenty-five feet (25').

Hiram Woo, representing Golden Coin Savings and Loan Association said that the Board of Director's of the Association had agreed to the condition.

Commissioner Nakashima moved approval of the staff recommendation. The motion was seconded by Commissioner Bierman and passed by a vote of 6-1 as City Planning Commission resolution no. 8374.

B. Commissioners' Questions and Matters

Commissioner Nakashima asked and was told that the Commission had no jurisdiction over the proposed PG&E power plant on Potrero Hill.

Commissioner Starbuck requested and the Commission agreed to have the staff make a status report on the Pier 39 Conditional Use.

Commissioner Starbuck requested and the Commission agreed unanimously, by motion, that the staff would send a letter to the Bureau of Permit Appeals indicating that it was not the Commission's intent, in a previous action, to grant Conditional Use Authorization for an all-night cabaret at 19th Avenue and Lincoln Way.

Commissioner Starbuck asked if the billboard, in the parking lot at Arguello Street and Geary Boulevard, would be removed.

Commissioner Starbuck noted that the San Francisco International Airport proposed additional runway extensions requiring additional bay-fill.

DR79.15 - CONSIDERATION OF DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NOS. 7903527, 790358 and 7903529 TO BUILD THREE TWO-FAMILY DWELLING UNITS AND TO DEMOLISH TWO BUILDINGS WITH THREE DWELLING UNITS AND TWO GARAGES FOR FOUR CARS IN AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT; 1375-1379 - 47TH AVENUE BETWEEN IRVING AND JUDAH STREETS, LOTS 10A AND 11 IN ASSESSOR'S BLOCK 1802.

(Continued from the Meeting of September 6, 1979)

A case report was available and summarized by Mary Anne Miller, Planner II. Ms. Miller said that the proposal had raised two issues:

1. The compatibility of proposed two-flat buildings with the surrounding neighborhood.
2. The potential loss of low to moderate income rental housing.

Robert Passmore, Assistant Director of Planning, said that the staff recommendation was for Discretionary Review.

James Reilly, an Attorney, represented the applicant. Mr. Reilly said that he opposed and wished to challenge the commission's power to take Discretionary Review. If you take Discretionary Review, he said, you'll go beyond your power and act in an arbitrary and capricious manner.

Citing a number of Municipal Code and City Planning Code sections which, he claimed, limited the power of the City Planning Commission, Mr. Reilly said that it was his position that, where a builder has complied with all the rules and regulations of the City and County, the City Planning Commission has no power to take Discretionary Review. He concluded by saying that the project had received a Negative Declaration and that it would increase the number of dwelling units in the City. Finally, he said that assertions, that the cottages had historical significance, were ungrounded.

Ms. Miller, responding to Mr. Reilly, said that Department staff had never considered the issue of "historical significance.

Mr. Passmore said that the staff recommendation for Discretionary Review was based on Urban design issues. There is some question of compatibility, of the proposed two-unit buildings, with the surrounding neighborhood. Our concern arises in the context of Section 101 of the City Planning Code, he said.

Mr. Reilly said that Section 101 refers to the Planning Code and not the City Planning Commission.

President Rosenblatt noted that Mr. Reilly had challenged, on other occasions, the Commission's Discretionary Review Power. We received, from the City Attorney, a written opinion affirming our power, he said.

Mr. Passmore said that the City Attorney had said that the Commission needed valid reasons to take Discretionary Review.

President Rosenblatt said that it was a design quality issue and how well the proposed buildings would fit.

Commissioner Dearman moved that the Commission take Discretionary Review. The motion was seconded by Commissioner Bierman and passed unanimously.

DR79.15 - DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NOS. 7903527, 7903528 and 7903529 TO BUILD THREE TWO-FAMILY DWELLING UNITS AND TO DEMOLISH TWO BUILDINGS WITH THREE DWELLING UNITS AND TWO GARAGES FOR FOUR CARS IN AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT; 1375-1379 - 47TH AVENUE BETWEEN IRVING AND JUDAH STREETS, LOTS 10A AND 11 IN ASSISSOR'S BLOCK 1802.

(Continued from the meeting of September 6, 1979)

The project sponsor, Dan Giosso, testified that he and his family had owned the properties for 10 years. Though we are remodeling contractors, it would be more costly for us to restore the two cottages, he said. He testified, further, that it would be difficult if not impossible to get a loan package for a project containing new and restored units. Mr. Giosso said that his proposed duplex buildings would be in keeping with the character of the neighborhood and that 17 of 20 property owners within 300 feet were in favor of his project.

Mr. Reilly said that a tenant, of one of the cottages, had circulated a petition in which it was claimed that the cottages had historical significance.

In the context of the "FACE" program, Commissioner Dearman asked if the cottages had been brought to Code Standards.

Mr. Giosso responded by saying that Code violations in 1969 had been allowed to persist on the belief that the cottages would lie torn down.

Michail Shuey a resident of the immediate area said that his lot at 1359 47th Avenue was zoned RH-1 but that it should be zoned RH-3. He said that Mr. Giosso was not a speculator. He wishes to improve his lot, he said.

Responding to Commissioner Bierman, Mr. Shuey, said that he had had a "FACE" inspection in 1969. Commissioner Bierman said that she believed then that the two cottages were probably brought to code in 1969.

Louis McAveny, an owner of property located in the immediate area, said that the cottages were in bad shape. At reasonable prices, he said, the duplexes will upgrade the neighborhood.

Terry Hurley, a neighborhood resident, Wade Hudson, a resident at 1379 47th Avenue, Andrew Heath, representing the District 11 Residents Association, Gary Fine, a Richmond District resident, Harold Sellman and Greg Garr urged the Commission to rule in favor of retention of the existing cottages.

Mr. Reilly said that new construction was needed to alleviate the housing shortage in San Francisco. He testified that his client would be willing to discuss design considerations with the neighborhood. Responding to President Rosenblatt, Mr. Reilly said that remodeling costs and the reluctance of lending institutions to loan for remodeling projects were factors working against a remodeling proposal.

Rai Okamoto, Director of Planning, said that he believed that sufficient attention to design detail could result in a proposal attractive to a lending institution.

Mr. Reilly asked that, in any decision, the issues be clearly framed.

Mr. Passmore said that the staff did not have a recommendation. We would recommend a continuance, he said. He said that the additional time could be used to explore alternatives with the applicant. Also, he said that perhaps the applicant could use the time for further exploratory discussions with lending institutions. Mr. Passmore said that the staff's judgement was that the buildings could be better designed.

At approximately 5:30 Commissioner Dearman left the meeting.

President Rosenblatt said that design changes should be considered in the context of neighborhood compatibility and that the applicant should keep an open mind with respect to retention of the existing cottages.

Commissioner Mignola moved that the matter be continued one week to September 20, 1979. The motion was seconded by Commissioner Christensen and passed unanimously.

Absent: Commissioner Dearman.

Adjournment 6:15 P.M.

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SAN FRANCISCO
CITY PLANNING COMMISSION
MINUTES
OF THE
REGULAR MEETING
HELD
THURSDAY
OCTOBER 11, 1979
ROOM 282, CITY HALL
1:00 P.M.

DOCUMENTS DEPT.

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The City Planning Commission met pursuant to notice on Thursday, October 11, 1979, at 1:00 p.m. in Room 282, City Hall

PRESENT: Toby Rosenblatt, President; Ina F. Dearman, Vice President; Susan J. Bierman, John Christensen, Joseph Mignola and Yoshio Nakashima, members of the City Planning Commission.

ABSENT: Commissioner Charles Starbuck

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; Robert Passmore, Assistant Director of Planning; George Williams, Assistant Director of Planning; Charles Gill, City Planning Coordinator and Lee Woods, Secretary.

Gerald Adams represented the San Francisco Examiner; Marshall Kilduff represented the San Francisco Chronicle and Mike Mewhinney represented the San Francisco Progress.

CURRENT MATTERS

CONSIDERATION OF A RESOLUTION AUTHORIZING THE DIRECTOR OF PLANNING TO SEEK AND ACCEPT APPROXIMATELY \$75,000 IN FEDERAL HIGHWAY ADMINISTRATION FUNDS FOR A PEDESTRIAN SAFETY PROGRAM IMPLEMENTING A PORTION OF THE CENTER CITY CIRCULATION PROGRAM.

Approved Resolution 8393

Vote 4-0

Absent: Christensen, Mignola and Starbuck

COMMISSIONERS' QUESTIONS AND MATTERS

INFORMATIONAL PRESENTATION OF THE CONCLUSIONS AND RECOMMENDATIONS OF THE NORTHEASTERN WATERFRONT SURVEY.

info George Williams, Assistant Director of Planning, indicated that this was an informational presentation. After summarizing a report entitled "Northeastern Waterfront Survey", a technical report dated August 1979. Mr. Williams indicated that, in terms of plan implementation in the future, matters would be brought to the Commission for its consideration and decision.

NOTE: Copies of the technical report, dated August, 1979 and entitled "Northeastern Waterfront Survey", are available at the office of the Department of City Planning.

CONSIDERATION OF DESIGNATION OF REDEVELOPMENT PROJECT BOUNDARIES
FOR BAYVIEW INDUSTRIAL TRIANGLE PROJECT.

George Williams, Assistant Director of Planning, indicated that there was a draft resolution before the Commission. The effect of the resolution, if approved he said, will be the initiation of formal boundaries for the proposed Bayview Triangle Redevelopment Area.

Commissioner Dearman moved approval of the draft resolution. The motion was seconded by Commissioner Nakashima and passed unanimously as City Planning Commission Resolution No. 8394. Absent: Commissioners Mignola and Starbuck.

APPEAL OF PRELIMINARY NEGATIVE DECLARATION FOR TWELVE CONDOMINIUM UNITS
AT 2938 WASHINGTON STREET, LOT 10 IN ASSESSOR'S BLOCK 980; REQUIRING
DEMOLITION OF EXISTING SCHOOL COMPLEX.

Robert Passmore, Assistant Director of Planning, said that twelve (12) three-bedroom units and twelve (12) parking spaces were being proposed. Under the existing RM-1 zoning, he said that a total of fifteen (15) units were possible. Mr. Passmore concluded by saying that the proposed addition of twelve (12) units, to the neighborhood, could not have a significant effect on the environment.

Commissioner Bierman said that, in so far as double parking was a permanent fixture in the block, the proposal would have a significant effect in terms of additional traffic generated.

The appellant, Dr. Marshall Dunham, said that he had a petition of 205 signatures of neighbors opposed to the proposal. The neighborhood is congested, the proposed parking is inadequate, and the building will be in disharmony, he said. Dr. Dunham said that an Environmental Impact Report (EIR) should be required.

Angela Tirrell said that neighbors had not been consulted by the project sponsors or the Department of City Planning. How can fifty new people not have an effect, she asked.

Charles Mellay, Nellie Cravens, Jeff Pickard and Sandy Walker, residents of the neighborhood, asked that an EIR be required.

Kenneth Fukuda, an urban planner representing the project sponsor, said that the proposed project would reinforce the residential character of the neighborhood and that it was consistent in terms of scale. In contrast to the former school, he said that there would be fewer vehicular trips, less noise and greater rear yards.

Robert Passmore, Assistant Director of Planning, said that the staff belief was that the Negative Declaration was appropriate.

Commissioner Bierman said that a clear picture of former uses and impacts was needed before any new proposal could be approved.

President Rosenblatt said that, design alternatives, traffic, parking and noise, all needed looking at.

Commissioner Dearman said that an EIR would guarantee thorough analysis. She moved that the appeal be upheld and that an EIR be required. The motion was seconded by Commissioner Bierman and passed unanimously as City Planning Commission Resolution No. 8395. Absent: Commissioner Starbuck.

EE79.184 - APPEAL OF THE ENVIRONMENTAL IMPACT REPORT REQUIREMENT FOR THE PROPOSED GREYHOUND BUS TERMINAL; 1104-1164 MISSION STREET AND 70-98 7TH STREET. LOTS 29-39 IN ASSESSOR'S BLOCK 3702, APPROXIMATELY 81,000 SQUARE FEET OF ENCLOSED AREA CONTAINING PASSENGER LOBBY/CIRCULATION/TICKETING AND PACKAGE EXPRESS FACILITY; RESTAURANT, RETAIL FACILITIES; OFFICES AND DRIVERS' REST AREAS; 41 PARKING SPACES AND 27 BUS SPACES; DEMOLITION OF EXISTING PACKAGE EXPRESS FACILITY, VACANT ATLANTA HOTEL AND ELECTRICAL SUPPLY BUILDING REQUIRING CONDITIONAL USE AUTHORIZATION CU79.55.
(Continued from September 20, 1979.)

Robert Passmore said that the applicant had requested a continuance and recommended a continuance to October 25, 1979.

Commissioner Christensen moved that the matter be continued to October 25, 1979. The motion was seconded by Commissioner Mignola and passed unanimously.

DR79.14 - DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NOS. 7900959, 7900960 AND 7900961 TO BUILD THREE TWO-FAMILY DWELLING UNITS AND SUBDIVIDE A LOT IN AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT WHICH HAS BEEN DESIGNATED FOR PURCHASE BY THE CITY WITH OPEN SPACE ACQUISITION (PROPOSITION J) FUNDS; 100-122 CORWIN STREET NEAR ACME ALLEY, LOT 8 IN ASSESSOR'S BLOCK 2714.
(Continued from August 23, 1979.)

Robert Passmore, Assistant Director of Planning, indicated that the subject property had been acquired by the City and that the application had been cancelled. No action is necessary, he said.

DR79.20 - CONSIDERATION OF DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION No. 7902405 FOR ONE-FAMILY DWELLING AT 61 TWIN PEAKS BOULEVARD (VILLA TERRACE), LOT 2 IN ASSESSOR'S BLOCK 2661.

Robert Passmore, Assistant Director of Planning, said that the building permit application for the single-family proposal had been approved by the Department and forwarded to the Department of Public Works. Because of neighborhood concern and some Commission concern, we have had the permit returned to our Department, he said.

It is now before you for possible discretionary review. Mr. Passmore said that the staff recommendation was that the Commission not take discretionary review. Land Records, he said, should state that, as a condition of approval, the building is to remain a single-family dwelling.

Reno Del Curto, the applicant, said that he did not understand the reasons for a discretionary review. Our proposal meets all code specifications and there is no view blockage, he said.

Gary Faldesey, of the Twin Peaks Improvement Association, said that the proposal was essentially the same as the previously proposed three duplexes. This is equivalent in terms of height and bulk, he said.

Phillip Copland, an architect representing the project sponsor, said that the proposal represented a reduction in the number of gross square feet and that he knew of no intent to develop the remaining lots.

Gina Pinestri, a neighbor, said that the proposal was 225' gross square feet larger than the previous proposal.

Commissioner Bierman said that the building was large, that it would be situated at a dangerous location and that there could be two additional proposals of equal size. She moved that the Commission take discretionary review. The motion was seconded by Commissioner Dearman and passed by a vote of 5-1. Voting No: Commissioner Nakashima. Absent: Commissioner Starbuck.

ER79.20 - DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NO. 7902405
FOR ONE-FAMILY DWELLING AT 61 TWIN PEAKS BOULEVARD (VILLA TERRACE),
LOT 2 IN ASSESSOR'S BLOCK 2661.

Reno Del Curto, the applicant, said that he'd be willing to delete the lower two bedrooms from the proposal.

President Rosenblatt said that it was not appropriate to negotiate unit sizes in the context of a Commission Hearing.

Gary Faldesey, of the Twin Peaks Improvement Association said that the Commission had expressed concern over issues including traffic circulation and the height and bulk of a structure at that location. These issues remain, he said.

Commissioner Bierman said that the real need was for a smaller building which could not be readily converted to a greater number of units. She moved that the matter be continued for one week to provide time for exploration of possible alternatives. The motion was seconded by Commissioner Dearman and passed unanimously.

CONSIDERATION OF RESOLUTION OF INTENT TO INITIATE.

The Director of Planning, Rai Y. Okamoto, indicated that this was the resolution which the Commission had requested at its meeting of October 4, 1979. The International Hotel site could be effected by this, and we'd recommend that you defer action until we get a more definite idea of what could be proposed for the site, he said.

Commissioner Nakashima moved that the matter be continued to December 6, 1979. The motion was seconded by Commissioner Bierman.

President Rosenblatt said that the Director should indicate, to any prospective applicant, that the Commission would not be inclined to approve Conditional Use authorization in the subject area.

The motion for continuance passed unanimously.

PRESENTATION OF DOWNTOWN CONSERVATION AND DEVELOPMENT CONSULTANTS REPORT
AND PRESENTATION OF PROPOSITION "O" BY REPRESENTATIVES OF SAN FRANCISCANS
FOR RESPONSIBLE GROWTH.

San Franciscan's for Reasonable Growth (SFRG) was represented by Sue Hestor and David Jones. David Jones made the following statement:

"For the past few years it has been apparent that the City of San Francisco has been unwilling or unable to assess and deal with the undesirable consequences of unabated, concentrated highrise development on the City. Therefore, San Franciscans for Reasonable Growth (SFRG) was formed to enable the electorate to directly establish more reasonable growth standards for the downtown San Francisco business district.

"The necessity for this initiative is explained in Section 1 of the initiative. It states --

'Section 1. The people of the City and County of San Francisco hereby find and declare that the uncontrolled spread of high-rise buildings and the populations of these buildings detract from the habitability of San Francisco by:

- a. increasing traffic congestion and parking problems;
- b. increasing air, noise and water pollution;
- c. creating a dark windy and uninviting downtown area;
- d. increasing the demand on already over-burdened public services, such as fire, police, public transit and sewer facilities;
- e. increasing the cost of said public services at a time when property tax revenues from downtown buildings have declined because of the passage of State Proposition 13;
- f. placing an increased demand upon the limited housing stock of San Francisco and thus contributing to rising housing costs in S.F.; and
- g. contributing to an overall decline in the quality of life in San Francisco and the entire San Francisco Bay area.

"Representatives of SFRG have testified before this Commission at hearings for all highrises proposed since April. We have pointed out the project-specific and cumulative impacts which uncontrolled downtown development will have throughout the City - not only downtown but also in our neighborhoods.

"We have watched as the Planning Commission has acknowledged the detrimental impacts on transit, public services, parking, traffic, congestion, air pollution and housing caused by the cumulative construction of past and proposed highrises. We have watched this Commission as you have attempted to grapple with the problems of equity raised if the responsibility for mitigating these aggregate negative impacts was assigned to the one specific building being discussed.

"It is apparent that this Commission has been unable to reconcile the broader environmental, economic and social problems caused by continued concentrated highrise development downtown when the decision before you concerns one building which incrementally adds to these problems.

"It is also evident that the height and bulk limits, bonuses, and other provisions of the present Urban Design Plan need revision so that there is a more sound blueprint for future downtown growth - one which will not negatively affect San Francisco residents.

"Because of the need for a better downtown plan, the Commission proposed that a new plan for downtown development be initiated. The first phase was released this past week. SFRG has reviewed the Sedway/Cooke Phase I study and has the following comments.

"First, we are pleased to note that the study has documented the effects of concentrated highrise development on San Francisco residents and has validated the need for more stringent downtown development controls to ameliorate these effects.

"With regard to transit and traffic the study notes that 'substantial transit improvements and changes for traffic, parking and pedestrians would be required' by new highrise construction. It states that existing streets, highways and bridges will be unable to accommodate new automobile traffic. It indicates that existing transit facilities will have to be expanded by 50% to 100% to meet new demands. It concludes that major expenditures will be necessary for transit improvements and road construction to support the type of development which will occur downtown under existing plans.

"Regarding landmark preservation the study declares that 'San Francisco's historic and architecturally significant buildings are main contributors to the attractiveness and liveliness of the City's downtown,' but notes that there are currently no incentives to preserve such buildings.

"In the area of housing the study shows that continued downtown development with adequate housing has resulted in and will continue to increase housing and rent costs. It notes that continued development at current rates 'is likely to result in continued displacement of lower income residents.'

"Regarding the fiscal implications of continued highrise development, the study states that 'new downtown development will not solve the City's growing financial fiscal problems; without new revenue sources, development will make it worse in the long run.' The study indicates that 'present costs (to sustain services demanded by the downtown area) exceed revenues in the downtown area by as much as 25%'

"These findings, in addition to findings in the study regarding highrise development effects on air pollution, noise, pedestrian environment, and industrial and commercial displacement, clearly show the need for the new development standards proposed by Proposition O.

"However, SFRG strongly disagrees with the first section of the study which assesses the effects of the passage of Proposition O. This analysis makes a series of simplistic assumptions which grossly overestimate the amount of development which would occur, incorrectly determines where this development could occur, and misrepresents the type of development permitted by the initiative and by the planning code.

"Our primary difficulty is with a major, but buried, assumption used to determine the extent and location of development under Proposition O. On page 14 of the study it is stated that 'For the purpose of this analysis, it was assumed that the demand for increased building space would not be constrained by any major factors.' Based on this assumption the study naively concludes that passage of Proposition O will take 31% more land area (since the same number of square feet of office space will be constructed as is currently planned), than development under existing standards. The most obvious area affected by this assumption is the Tenderloin area, which the study suggests, will have 76% of the underutilized available lots developed under Proposition O, as opposed to 24% under existing development standards.

"This simplistic assumption -- that future development will take place in a vacuum with no constraints -- ignores the existence of a planning code with different designated uses for the four different C-3 areas. It ignores the continued oversight and approval roles of the Planning Commission in assuring compliance with the Code. It ignores the existence of a public which will fight attempts to establish incompatible uses in the different C-3 areas.

"First, this analysis totally ignores the provisions of Proposition O. Section 6 of Proposition O states that 'Areas in other use districts may not be reclassified to any C-3 classification, nor may any C-3 area be changes to another C-3 classification which would allow more intensive use of the area.'

"In the case of the Tenderloin, for instance, the current C-3-G use is residential/commercial, not office space, which is a more intensive use. To develop 76% of the Tenderloin due to 'office space spillover' from the financial district is explicitly prohibited by this initiative. Therefore Section 6 of Proposition O is a major constraint to developing areas inappropriate for that use.

"Even in the absence of this initiative, we are confident that the Planning Commission and the public would protect the residential uses of the Tenderloin from encroachment from buildings with incompatible uses. The recent experience of Hastings Law School -- when it attempted to take an entire block for expansion -- shows the strength of the public as a constraint to the destruction of residential housing in this area.

"The Planning Commission, the Planning Code, and the public are therefore major constraints to unabated and uncontrolled expansion into areas where this development would impair current uses.

"In addition the report further overestimated the amount of land which would be absorbed for future development by assuming that there are the same number of 'underutilized' acres of 'available' developable land under existing zoning and under Proposition O. This is not true. Because the economics of replacing existing structures depends to a great extent on the differences in floor area between the new and old buildings, lower height limits will mean that many buildings which would be replaced under existing standards will be preserved because of Proposition O. For example, whereas it may be economically desirable to tear down an 8-story building for a 25-story building under current C-3 development standards, it may not be economically attractive to tear down the 8-story building to construct a 10-story building with a lower floor area ratio.

"This study also assumes that our landmark preservation bonus will not be effective because it hypothesizes that this Planning Commission will establish other bonuses for encouragement of energy conservation and improvement of the pedestrian environment which may be 'liberally granted', and therefore 'incentive for use of the landmark bonus is seriously undermined.' SFRG believes it is an affront to the Planning Commission to assume that the Commission will undermine the effective landmark preservation bonus contained in Proposition O.

"Similarly the discussion of Proposition O's housing bonus assumes it will be ineffective because developers will again take advantage of the hypothetical less stringent bonuses which this Planning Commission will probably establish. The discussion also ignores that the main feature of the housing bonus is provision of housing on the project site, and that it will be most advantageous for housing developments, not office projects. By the false assumption already noted that this initiative will result in office space going into the Tenderloin, this study actually projects that housing will be destroyed, and not encouraged by Proposition O -- the initiative that for the first time establishes a housing bonus.

"Proposition O will allow continued downtown growth while also assuring that this growth is more reasonable and manageable, so that its effects can be accommodated. However, passage of Proposition O will stop the spread of highrise office buildings into other C-3 areas, where they would be inappropriate. It certainly will not result in the wholesale destruction of the Tenderloin.

"SFRG, while upset at the inaccurate analysis of its initiative, is equally disturbed by the inclusion of this analysis in the Phase I study for a new downtown development plan. Neither the Planning Commission resolution requesting the Phase I study, nor the Board of Supervisors appropriation of money for the study indicated that one of its purposes was to analyze Proposition O. However, the first 67 pages of the 107 page study are substantially devoted to an analysis of the amount and type of development that would occur when Proposition O passes. Because this analysis is based on simplistic and erroneous assumptions and does not show an understanding of the initiative's provisions, SFRG is faced, one month before the election, with a city-financed document which indicates that passage of Proposition O will result in a spread of highrises to other C-3 areas.

"This is happening at a time when the opposition to this initiative is trying to mislead the public about the effects of Proposition O with the slogan that 'We don't want to become another Los Angeles.' There is no doubt that the first 67 pages of this document will be quoted by our opponents to verify the false claims that passage of this initiative will result in a spread of highrises to areas like the Tenderloin and South of Market. IN FACT THE INITIATIVE CONTAINS LANGUAGE WHICH WOULD STRENGTHEN THE EXISTING CODE AND PROHIBIT THIS FROM HAPPENING. No one from Sedway-Cooke contacted the authors of the initiative to ask us about any provisions of our initiative. No one from the City contacted SFRG to see if we felt the analysis of Proposition O was accurate or fair. But 4 weeks before the election we are hit with a city-financed consulting firm's report questioning the effects of this initiative.

"We believe that the inclusion of this analysis in the study is inappropriate. But if the Commission felt this type of analysis was necessary, SFRG should have at least been given an opportunity to explain the provisions of the initiative to the consultants so they could understand all of its provisions, not just the FAR and height limits.

"With regard to the last 40 pages of the report, we are pleased to note that the recommended interim controls eliminate meaningless development bonuses - just like Proposition O does. That they encourage preservation of historic buildings and the construction of housing - just like Proposition O does. That they establish precise height and bulk limits - the exact limits of Proposition O.

"We obviously believe these limits are both reasonable and prudent. We are pleased that they study recommends interim controls, which protect housing units from demolition, encourage use of mass transit, provide pedestrian amenities, and encourage energy conservation. Proposition O encourages the Planning Commission to establish such provisions and allows for the creation of bonuses by the Commission in these four areas.

"We think it is imperative to note that this is just a draft Phase I plan recommended by a consultant. It could change drastically in subsequent months due to pressures by developers or special interests who may not share the opinion that San Francisco needs a new downtown development plan which takes into account the effect downtown has on the entire city. Proposition O is on the ballot in less than 4 weeks. It already contains the salient features of the interim controls recommended by the Sedway/Cooke study. The best way to assure that the citizens of San Francisco get the comprehensive downtown development standards it needs is to vote for Proposition O.

"If Proposition O were to lose because of misinformation concerning its effects, special interests who are against a more comprehensive downtown development plan will say that the City voters have spoken on the issue, and will say that the Sedway/Cooke recommendations should be ignored. The only way to maintain the momentum already gained in developing a better handle on downtown problems - problems which affect the entire city - it is to pass Proposition O.

"We believe that the first section of the Sedway/Cooke report, which inaccurately describes what will happen if this initiative passes, will be quoted out of context to try to defeat Proposition O and thwart any new downtown development plan. The Planning Commission is partly responsible for this because the study was undertaken under your auspices.

"Therefore, given that the Phase I interim controls basically incorporate the provisions of Proposition O, and given the misinformation regarding the effects of Proposition O, it is imperative that the Planning Commission speak out on this issue to dispel any confusion caused by the first part of the report.

"You have asked for guidance. Your consultant has provided it. Despite all of the problems of the study, the bottom line is that the provisions of Proposition O are basic, minimum steps which MUST be taken if the City is to deal with the problems caused by current patterns of downtown development.

"We therefore urge the Planning Commission to strongly endorse Proposition O so that the public gets firm guidance from you before the November election. By embracing this initiative the Commission will help assure its passage and will have set an unshakeable foundation for further interim controls and a comprehensive downtown development plan."

Following the statement of Mr. Jones, Paul Sedway and Tom Cooke, of the firm of Sedway/Cooke consultants to the Department of City Planning, summarized a report entitled "Downtown San Francisco Conservation and Development Planning Program - Phase I Study".

The Director indicated that copies of the report were in short supply. He requested authorization to expend funds from an existing Economic Development Administration Grant to produce 45 additional copies of the report. The Commission authorized the expenditure.

NOTE: Copies of the report, entitled "downtown San Francisco Conservation and Development Planning Program - Phase I Study", are available for reference purposes at the office of the Department of City Planning.

Steve Finn, representing San Francisco Forward, urged the Commission to oppose Proposition O. He asked and the Commission agreed to permit him to present his views at a later meeting.

Richard Mortion, representing the San Francisco Chamber of Commerce, said that "interim controls" would be of concern to the Chamber. He said that a balanced approach was needed.

Gerald Cauthen, representing San Franciscans for Reasonable Growth, said that the findings, of the Sedway/Cooke report, confirmed the assumptions of Proposition O.

Adjournment 7:30 p.m.

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10/25/79

SAN FRANCISCO
CITY PLANNING COMMISSION
MINUTES
OF THE
REGULAR MEETING
HELD
THURSDAY
OCTOBER 25, 1979
ROOM 282, CITY HALL
1:00 P.M.

DOCUMENTS DEPT.

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The City Planning Commission met pursuant to notice on Thursday, October 25, 1979, at 1:00 p.m. in Room 282, City Hall.

PRESENT: Ina F. Dearman, Vice President; Susan J. Bierman, John Christensen, Joseph Mignola, Yoshio Nakashima and Charles Starbuck, members of the City Planning Commission.

ABSENT: Commissioner Toby Rosenblatt

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; Robert Passmore, Assistant Director of Planning; Alec Bash, Planner IV; Selina Bendix, Environmental Review Officer; Robin Jones, Planner II; Patrice Fambrini, City Planning Intern and Lee Woods, Secretary.

Gerald Adams represented the San Francisco Examiner; Marshall Kilduff represented the San Francisco Chronicle and Mike Mewhinney represented the San Francisco Progress.

FIELD TRIP

Cancelled

CURRENT MATTERS

CONSIDERATION OF A DRAFT RESOLUTION CORRECTING DRAFTING ERRORS IN ZONING MAP #10, APPROVED BY THE CITY PLANNING COMMISSION AND THE BOARD OF SUPERVISORS, CONCERNING PROPERTY AT THE NORTHWEST CORNER OF DWIGHT AND GOETTINGEN STREETS, FORMERLY LOT 11 IN ASSESSOR'S BLOCK 6118.

Alex Bash, Planner IV, noted that a draft resolution with the following "Resolved" clause was before the Commission:

"THEREFORE BE IT RESOLVED, That the City Planning Commission does hereby request the staff of the Department of City Planning to work with the Clerk of the Board of Supervisors to insure that the following Zoning Map drafting error is corrected:

On Map Sheet #10, Assessor's Block 6118, former Lot 11 should be changed from P to RH-1."

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Commissioner Christensen moved for approval of the draft resolution. The motion was seconded by Commissioner Nakashima and passed unanimously as City Planning Commission Resolution No. 8402. Absent: Commissioners Mignola and Rosenblatt.

With respect to 1201 Lincoln Way, Robert Passmore, Assistant Director of Planning, reported that there was little likelihood of a City Attorney's opinion by November 1st. The applicant and the attorney representing the neighborhood have agreed, and we would recommend that the matter be continued to November 15th., he said.

The staff recommendation for continuation was moved by Commissioner Christensen, seconded by Commissioner Bierman and passed unanimously. Absent: Commissioners Mignola and Rosenblatt.

At this time, Commissioner Mignola arrived for the meeting.

RS79.68 - REVIEW FOR CONSISTENCY WITH MASTER PLAN FOR 1632 TAYLOR STREET, EAST SIDE BETWEEN BROADWAY AND VALLEJO STREETS, LOT 20 IN ASSESSOR'S BLOCK 149, FOR 8-UNIT CONDOMINIUM CONVERSION SUBDIVISION.
(Continued from the Regular Meeting of October 18, 1979)

Jim Johnson, an attorney representing the applicant, noted that only six Commissioners were present. Saying that he wished to have the matter heard by a full Commission, he requested a one-week continuance.

Commissioner Mignola moved for a one-week continuance. The motion was seconded by Commissioner Nakashima and passed unanimously. Absent: Commissioner Rosenblatt.

EE79.184 - APPEAL OF THE ENVIRONMENTAL IMPACT REPORT REQUIREMENT FOR THE PROPOSED GREYHOUND BUS TERMINAL; 1104-1164 MISSION STREET AND 70-98 7TH STREET. LOTS 29-39 IN ASSESSOR'S BLOCK 3702, APPROXIMATELY 81,000 SQUARE FEET OF ENCLOSED AREA CONTAINING PASSENGER LOBBY/CIRCULATION/TICKETING AND PACKAGE EXPRESS FACILITY; RESTAURANT, RETAIL FACILITIES; OFFICES AND DRIVERS' REST AREAS; 41 PARKING SPACES AND 27 BUS SPACES; DEMOLITION OF EXISTING PACKAGE EXPRESS FACILITY, VACANT ATLANTA HOTEL AND ELECTRICAL SUPPLY BUILDING REQUIRING CONDITIONAL USE AUTHORIZATION CU79.55.
(Continued from the Meeting of October 11, 1979)

Selina Bendix, Environmental Review Officer, said that in a written opinion, the City Attorney had advised that as a replacement project, the proposed new Greyhound Bus Terminal was categorically exempt from Environmental Evaluation.

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Commissioner Mignola said that the Chief Administrative Officer believed that Greyhound should be located at the Transbay Terminal and that a consolidated facility should be given great consideration.

Robert Passmore, Assistant Director of Planning, said that the staff recommendation was that the Commission accept its attorney's advice. The Conditional Use hearing can be used to explore the Chief Administrative Officer's concerns, he said.

Commissioner Christensen said that subsequently there should be exploration of Greyhound's assertion that it would be economically disadvantageous to locate at the Transbay Terminal.

Commissioner Bierman moved that the staff prepare a formal resolution for the Commission. It will find, she said, that the Greyhound proposal, as a replacement project, is categorically exempt from environmental evaluation.

Because of the Chief Administrative Officer's concerns, I'll have to vote no, Commissioner Mignola said.

With respect to a proposed consolidated facility, Commissioner Dearman said that she did not know if bigger was better.

Commissioner Bierman's motion was seconded by Commissioner Nakashima and passed by a vote of 4-1. Voting No: Commissioner Mignola. Abstaining: Commissioner Starbuck. Absent: Commissioner Rosenblatt.

EE79.153 - 6 SINGLE-FAMILY DWELLINGS; WEST SIDE OF ANDERSON, SOUTH OF CRESCENT, LOTS 17-22 IN ASSESSOR'S BLOCK 5811; EACH 1 STORY OVER GARAGE, 2 PARKING SPACES, APPROXIMATELY 10,650 TOTAL SQUARE FEET, REQUIRING BUILDING PERMIT APPLICATIONS 7903889-7903894. . .
(The Appellant has requested that this matter be continued)

Ed Ezra, Transit Planner I, summarized the context of the Preliminary Negative Declaration. He said that a number of residents, of the area had requested a continuance. Robert Passmore, Assistant Director of Planning, said that the project sponsor was opposed to any continuance and that the staff recommendation was that the Commission sustain the Negative Declaration.

Roger Borgenicht, representing South of Crescent and Anderson Street residents, requested a continuance. There is inadequate information in the Negative Declaration and filed plans, he said.

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Mr. Borgenicht said that there were real life-safety questions related to a proposed retaining wall and to emergency vehicle access. Also, he said that proposed double-car garages would wipe out on-street parking. We would want, he said, garages set-back to provide clear sidewalks for pedestrian movement.

Peter Macchi, an attorney representing Mr. M. Bakisian, the project sponsor, said that he opposed the continuance. Mr. Macchi said that the Preliminary Negative Declaration found that there could be no significant effect. We propose single-family dwellings and land records could stipulate this, he said. Mr. Macchi said that the lots were 70 feet deep and could not be set-back to provide for off-street parking. Chief Rose will testify, he said, that there is no emergency vehicle access problem. Responding to a question from Commissioner Bierman, Mr. Macchi said that there would be two bedrooms on an upper level and one bedroom plus social room plus a wet bar on a lower level. Commissioner Bierman said that a field trip would be helpful.

Mr. Passmore said that it might be helpful to take Deputy Fire Chief Rose's testimony before any action is taken on the appeal.

Robert Rose, Deputy Chief of the San Francisco Fire Department, said that it was his responsibility to make recommendations on proposals such as the proposal of Mr. Bakisian. Chief Rose said that an engine company and a ladder company had visited the site and that the conclusion was that there was no access problem. There is plenty of room for our operations, he said.

Commissioner Starbuck seconded Commissioner Bierman's motion for a continuance to November 8th. We need a field trip, he said.

Further, he said that the motion related also to the Discretionary Review hearing (DR79.22).

The Motion for a continuance passed by a vote of 6-0.

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ZM79.37 - 2700 TO 3399 - 24TH STREET, BETWEEN VALENCIA AND POTRERO STREETS, PROPOSAL TO RECLASSIFY THE C-2 (COMMUNITY BUSINESS) DISTRICT TO RC-1 (RESIDENTIAL-COMMERCIAL COMBINED, LOW DENSITY) DISTRICT; ON 24TH STREET BETWEEN POTRERO AND CAPP TO RC-3 (RESIDENTIAL-COMMERCIAL COMBINED, MEDIUM DENSITY) DISTRICT; LOTS 11-17, 19-23, 66 IN ASSESSOR'S BLOCK 3640; LOTS 10C, 14-17, 19-23, 68, 69 IN BLOCK 3641; LOTS 11A, 13-21, 49 IN BLOCK 3642; LOTS 15-19, 37, 38, IN BLOCK 4206; LOTS 14B, 15-20 IN BLOCK 4207; LOTS 17-22 IN BLOCK 4208; LOTS 14-19 IN BLOCK 4209; LOTS 14-20 IN BLOCK 4210; LOTS 14, 16, 17 IN BLOCK 4211; LOT 26 IN BLOCK 4265; LOTS 1, 3, 36 IN BLOCK 4266; LOTS 1, 30-33 IN BLOCK 4267; LOTS 1, 30-32 IN BLOCK 4268; LOTS 15-17, 21, 23-23 IN BLOCK 4269; LOTS 1, 33-37 IN BLOCK 4270; LOTS 23-26 IN BLOCK 6518; LOTS 1, 27-29 IN BLOCK 6518; LOTS 1, 40-45 IN BLOCK 6519; LOTS 1, 40 IN BLOCK 6521; LOTS 1, 40, 41 IN BLOCK 6522.

Robert Passmore, Assistant Director of Planning, indicated that the presentation, to follow, by Robin Jones, Planner II, would cover all related items scheduled for consideration. The Secretary then called the following items:

ZM79.38 - 3225 TO 3705 SACRAMENTO STREET BETWEEN LYON AND SPRUCE STREETS AND 345-430 PRESIDIO, PROPOSAL TO RECLASSIFY THE C-2 (COMMUNITY BUSINESS) DISTRICT TO AN RC-1 (RESIDENTIAL-COMMERCIAL COMBINED, LOW DENSITY) DISTRICT TO A SPECIAL USE DISTRICT; LOTS 6-8, 11-17 IN ASSESSOR'S BLOCK 1007; LOTS 4-14 IN BLOCK 1008; LOTS 7-14, 26, 27 IN BLOCK 1009; LOTS 4-8, 12-15, 28, 28A IN BLOCK 1010; LOTS 4-11, 13-16 IN BLOCK 1011; LOT 7 IN BLOCK 1012; LOT 1 IN BLOCK 1017; LOTS 7A, 7B, 8-12, 16-18, 20, 20A IN BLOCK 1018; LOTS 1, 19-31 IN BLOCK 1019; LOTS 1, 19-22, 24, 25, 28, 29, 35 IN BLOCK 1020; LOTS 5, 6A, 9-13, 15-18, 24-27 IN BLOCK 1021; LOTS 18-24 IN BLOCK 1022.

ZM79.39 - 1300 TO 1899 HAIGHT STREET BETWEEN CENTRAL AND STANYAN STREETS; PROPOSAL TO RECLASSIFY THE C-2 (COMMUNITY BUSINESS) DISTRICT TO RC-1, RC-2, RC-3 or RC-4 (RESIDENTIAL-COMMERCIAL COMBINED, LOW, MEDIUM OR HIGH DENSITY: DISTRICT: LOTS 4-7 IN ASSESSOR'S BLOCK 1228; LOTS 7, 8, 10, 11, 13, 14 IN BLOCK 1229; LOTS 8-17 IN BLOCK 1230; LOTS 9-18 IN BLOCK 1231; LOTS 1, 4-7 IN BLOCK 1232; LOTS 10, 12-22 IN BLOCK 1233; LOTS 1,

ZN79.39 (Cont)

8, 29-31 IN BLOCK 1243; LOTS 22, 24, 25, 27-30 IN BLOCK 1244; LOTS 1, 23-26, 29-33 IN BLOCK 1245; LOTS 23, 28, 29 IN BLOCK 1246; LOTS 1, 20, 23-25 IN BLOCK 1247; LOTS 1, 19-23 IN BLOCK 1248; LOTS 14-17, 19, 23 IN BLOCK 1249.

ZN79.40 - 400 TO 600 CASTRO STREET BETWEEN 19TH AND MARKET STREETS; 4051-4257 18TH STREET BETWEEN DIAMOND AND HARTFORD STREETS; AND 4105-4123 19TH STREET BETWEEN CASTRO AND COLLINGWOOD STREETS; PROPOSAL TO RECLASSIFY THE C-2 (COMMUNITY BUSINESS) DISTRICT TO AN RC-1 (RESIDENTIAL-COMMERCIAL COMBINED, LOW DENSITY) DISTRICT OR TO A SPECIAL USE DISTRICT; LOTS 2-12, 14-16, 33-35 IN ASSESSOR'S BLOCK 2647; LOTS 16-20, 22A, 43, 52 IN BLOCK 2648; LOTS 1, 35-39 IN BLOCK 2694; LOTS 1-16, 35, 36, 41, 42 IN BLOCK 2695; LOT 1 IN BLOCK 2696; LOTS 51-62, 64, 66, 71-76, 85 IN BLOCK 3582; LOTS 1, 56-59, 61-79, 80-88 IN BLOCK 3583

ZM78.12 - 4127 TO 4147 - 19TH STREET, PROPOSAL TO RECLASSIFY THE C-2 (COMMUNITY BUSINESS) DISTRICT TO AN RC-1 (RESIDENTIAL-COMMERCIAL-COMBINED, LOW DENSITY) DISTRICT; LOTS 31, 32, 34 AND 35 IN ASSESSOR'S BLOCK 2696.

AM79.41 - 1800 TO 2399 MARKET STREET BETWEEN CASTRO AND VALENCIA STREETS; 325, 327, 375 CASTRO STREET; 250-292 AND 313-333 NOE STREET; 3600, 3583 AND 3571 - 16TH STREET; 150-212 SANCHEZ STREET; 655, 683, 685, 689, 691, 693 and 700-748 - 14TH STREET; 200, 214 AND 216 DUBOCE STREET; AND 1, 102-250, 101-271 CHURCH STREET, PROPOSAL TO RECLASSIFY THE C-2 (COMMUNITY BUSINESS) DISTRICT TO AN RC-1, RC-2, RC-3 or RC-4 (RESIDENTIAL-COMMERCIAL COMBINED, LOW, MEDIUM OR HIGH DENSITY) DISTRICT; LOTS 4-8, 14, 16 IN ASSESSOR'S BLOCK 871; LOTS 1, 2, 4-7 IN BLOCK 872; LOTS 1-17 IN BLOCK 3501; LOTS 40-45, 68, 70 IN BLOCK 3502; LOT 2 IN BLOCK 3503; LOTS 57-60 IN BLOCK 3534; LOTS 1, 8, 9, 11-13 IN BLOCK 3535; LOT 1 IN BLOCK 3536; LOTS 1, 5, 6, 7, 13-23, 24A, 91, 109 IN BLOCK 3537; LOTS 7-10 IN BLOCK 3541; LOTS 4-17, 39-41 IN BLOCK 3542; LOTS 1, 3, 3A, 3B, 10-12 IN BLOCK 3543; LOTS 56-60, 62-65, 67, 70-72 IN BLOCK 3544; LOTS 35A, 36-39, IN BLOCK 3558; LOTS 1-3, 9, 12-19 IN BLOCK 3559; LOTS 1, 5-13, 15, 31 IN BLOCK 3560; LOTS 8-15 IN BLOCK 3561; LOTS 1, 3, 4, 6-15, 17 IN BLOCK 3562; LOTS 18, 19, 22, 23, 25-30, 34, 35 IN BLOCK 3563; LOTS 86-93 IN BLOCK 3564

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ZM79.42 - 300 TO 1499 VALENCIA STREET BETWEEN 14TH AND 26TH STREETS, PROPOSAL TO RECLASSIFY THE C-M (HEAVY COMMERCIAL) DISTRICT TO AN RC-3 (RESIDENTIAL-COMMERCIAL, COMBINED, MEDIUM DENSITY) DISTRICT.

ZM79.43 - 920 TO 1590 VALENCIA STREET BETWEEN 20TH AND ARMY STREETS, PROPOSAL TO RECLASSIFY THE C-2 (COMMUNITY BUSINESS) DISTRICT TO AN RC-1, RC-2, RC-3 OR RC-4 (RESIDENTIAL-COMMERCIAL COMBINED, LOW DENSITY) DISTRICT; LOT 1 IN BLOCK 3546; LOTS 5, 7-11, 13, 16-22, 27 IN BLOCK 3547; LOTS 16, 18-20, 25, 27, 29, 57, 58 IN BLOCK 3554; LOTS 1-3, 6-10, 15, 39, 40, 56, 57 IN BLOCK 3555; LOTS 1-15 IN BLOCK 3568; LOTS 38-51, 83 IN BLOCK 3569; LOTS 55-58, 60-62, 78, 79, 81, 83-85, 91 IN BLOCK 3576; LOTS 1, 1A, 2, 4-7, 9-11, 60, 65 IN BLOCK 3577; LOTS 1-10, 12 IN BLOCK 3588; LOTS 75, 82-85, 88, 91, 92, 95-99, 108 IN BLOCK 3589; LOTS 87A, 88-92, 97-103, 112, 112 IN BLOCK 3596; LOTS 1, 3, 6, 8, 9, 11, 12 IN BLOCK 3597; LOTS 2, 7-10, 72, 74 IN BLOCK 3608; LOTS 26-29, 31-39, 41, 42 IN BLOCK 3609; LOTS 12-25, 27, 28 IN BLOCK 3616; LOTS 1, 3-6, 8-12 IN BLOCK 3617; LOTS 1-5, 8-14 IN BLOCK 3635; LOTS 24-32, 34-36 IN BLOCK 3636; LOTS 18, 19 IN BLOCK 3643; LOTS 2-4, 6-9, 18, 20, 21 IN BLOCK 3644; LOTS 1-11, IN BLOCK 6514; LOTS 15-25 IN BLOCK 6515; LOTS 13-18, 21-28 IN BLOCK 6530; LOTS 1, 4-7, 9-14, 16, 17, 29, 30 IN BLOCK 6531; LOTS 29, 33, 34 IN BLOCK 6568; LOTS 9B, 10-13, 35 IN BLOCK 6569.

3750-4199 - 24TH STREET, DIAMOND TO CHATTANOOGA STREETS, PRESENTLY AN RC-1 (RESIDENTIAL-COMMERCIAL COMBINED, LOW DENSITY) DISTRICT; PROPOSAL TO CONSIDER ENACTMENT OF INTERIM CONTROLS WITHIN A SPECIAL USE DISTRICT; LOTS 18, 19, 21, 22 IN ASSESSOR'S BLOCK 3650; LOTS 14-22 IN BLOCK 3651; LOTS 12, 13, 16-18, 44-46 IN BLOCK 3652; LOTS 6-9, 15-17, 19, 41 IN BLOCK 3654; LOTS 8-12, 14, 15, 17-20 IN BLOCK 3656; LOTS 21, 22, 44 IN BLOCK 2830; LOTS 5-21 IN BLOCK 2831; LOTS 1-4 IN BLOCK 6506; LOTS 1, 13A-24, 27-32 IN BLOCK 6507; LOTS 1, 25-40 IN BLOCK 6508; LOTS 1, 2, 20-23, 28, 29, 35-40 IN BLOCK 6509; LOTS 21-23 IN BLOCK 6510.

FILLMORE STREET, BUSH TO JACKSON STREETS AND 2380-2500 CALIFORNIA STREET, STEINER TO FILLMORE STREETS; 2290-2499 PINE STREET, STEINER TO FILLMORE; 2190-2250 BUSH STREET, STEINER TO FILLMORE, PRESENTLY A C-2 (COMMUNITY BUSINESS) DISTRICT; PROPOSAL TO CONSIDER ENACTMENT OF INTERIM CONTROLS WITHIN A SPECIAL USE DISTRICT; LOTS 3, 4 IN ASSESSOR'S BLOCK 634; LOTS 1-10, 10A IN BLOCK 635; LOTS 18, 18A, 21-23 IN BLOCK 636; LOTS 19-24 IN BLOCK 629; LOTS 1-10 IN BLOCK 630; LOTS 1-4 IN BLOCK 611; LOTS 19, 22, 33-35 IN BLOCK 612; LOTS 18, 18A, 18B, 18C, 18D, 18E, 18F AND 19 IN BLOCK 605; LOTS 1-6 IN BLOCK 606; LOTS 17, 20-23, 25 IN BLOCK 653; LOTS 1-11, 19A, 25 IN BLOCK 654; LOTS 1, 2, 32, 34 IN BLOCK 655; LOTS 1-9, 17, 19, 20, 29, 30-33 IN BLOCK 659; LOTS 17-23 IN BLOCK 660.

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UNION STREET SPECIAL USE DISTRICT WILL ALSO BE HEARD TO BEING ITS INTERIM CONTROLS INTO CONFORMANCE WITH THOSE OF THE SPECIAL USE DISTRICTS CONSIDERED ABOVE.

1500-2299 UNION STREET BETWEEN STEINER STREET AND VAN NESS AVENUE; 2959-3299 FILLMORE STREET; 2961-3023 BUCHANAN STREET; 2169-2221 FILBERT STREET, 2645-2725 GOUGH STREET; 2116-2207 GREENWICH STREET; 2633-2902 LAGUNA STREET; 2762-2806 OCTAVIA STREET; AND 2848-2922 WEBSTER STREET; PROPOSAL TO AMEND PARTIALLY THE SPECIAL USE DISTRICT INTERIM CONTROLS INITIATED APRIL 26, 1979; LOTS 6-8 IN ASSESSOR'S BLOCK 509; LOTS 4-6 IN BLOCK 510; LOTS 1-10 IN BLOCK 515; LOTS 19-23 IN BLOCK 516; LOTS 11-18 IN BLOCK 527; LOTS 2A-9E IN BLOCK 528; LOTS 2A-14 IN BLOCK 529; LOTS 7-13, 15-18, 31-33 IN BLOCK 530; LOTS 6-14A IN BLOCK 531; LOTS 9-17, 30 IN BLOCK 532; LOTS 10-20, 22-28, 36, 37 IN BLOCK 533; LOTS 1-21 IN BLOCK 534; LOTS 1, 1A, 25-34 IN BLOCK 539; LOTS 1, 18-23, 24A-27 IN BLOCK 542; LOTS 1, 23-34 IN BLOCK 543; LOTS 1, 1A, 1B, 1C, 11, 11B, 12-18 IN BLOCK 544; LOTS 1A, 1B IN BLOCK 546.

In a summary presentation, Ms. Jones discussed the findings and conclusions contained in the report entitled, "Neighborhood Commercial Conservation and Development."

NOTE: Copies of the report entitled "Neighborhood Commercial Conservation and Development" are available at the office of the Department of City Planning at 100 Larkin Street.

After the presentation by Ms. Jones, the Commission proceeded to take public testimony.

Michael Guest, representing the Cameo Deli at 24th and Diamond Streets, said that he had a petition of 1,000 signatures in support of a beer and wine deli at that location.

Jennifer Austin, representing the Cameo Deli, said that the "Market" should dictate the structure of Commercial districts.

Mervyn Silverberg, President of the Sacramento Street Neighborhood Improvement Association made the following statement:

- "I. In response to a petition, the Planning Department has downzoned the commercial (C-2) district of Sacramento Street between Lyon and Spruce (as well as a number of other neighborhood commercial districts throughout San Francisco) to residential-above-commercial (RC-1) on an interim basis. The Planning Department now further proposes to use the Union Street Study as a basis for formally downzoning the Sacramento Street commercial district to an RC SPECIAL USE District.

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"This proposal by the Planning Department is unfair and inappropriate for a number of reasons:

- "A. First, it is inappropriate to apply the findings of the Union Street Study across the board to other commercial districts. Each area is unique and deserves to be looked at individually, in spite of Planning Department insistence that doing so may place an undue administrative burden upon their staff. There are a number of concerned citizens, like myself, who are willing to spend the time and energy necessary to assist the Planning Department in doing its job. More importantly, one of the best ways to avoid administrative burden is not to downzone the neighborhood commercial districts in the first place.
- "B. Second, even if it were appropriate to apply the Union Street Study to Sacramento Street (or any other neighborhood commercial district proposed for downzoning), the manner in which the Planning Department is making its comparisons of neighborhood commercial districts based on the Union Street Study is unfair.
- "1. First, though Union Street is in effect allows C-2 commercial zoning with 531 commercial or office units in 12 blocks, the Planning Department proposed that Sacramento Street NOT be allowed to retain its C-2 zoning though it has a MUCH HIGHER density of commercial and office units than Union Street--about 330 in five blocks. (The commercial unit density ratios are 44 per block for Union Street as compared with 66 per block on Sacramento Street between Lyon and Spruce.)
- "It should also be noted that although there are 50 percent more commercial units on Sacramento Street, parking and traffic problems are mild compared to Union Street, due to the types of commercial uses on the two streets. There are 5-1/2 bars and restaurants per block on Union Street compared to two restaurants (and no bars) per block on Sacramento Street. Businesses such as these, which impact parking and traffic, are being successfully controlled on Sacramento Street through C-2 Special Use District controls which I will discuss later in this statement.

"2. Second, in spite of the fact that Sacramento Street already has a higher density of second and third floor office uses than Union Street, the Planning Department has in effect zoned Union Street C-2, allowing these uses there, yet proposes an RC residential zoning for Sacramento Street, requiring costly and time-consuming special use hearing for second floor office use and ruling out office use on third floors altogether. Again, if the Planning Department really is basing its determination of zoning for commercial districts in the neighborhoods on the Union Street Study, Sacramento Street between Lyon and Spruce should be returned to C-2 commercial zoning.

"II. Even if it were appropriate or fair to apply the Union Street Study to decisions about rezoning other commercial districts like Sacramento Street, it is unnecessary for the Planning Department to do so to accomplish what it says it wants to accomplish by downzoning Sacramento Street to RC. If we assume that the main reasons the Planning Department wants to downzone Sacramento Street to RC are to prevent residential uses converting to commercial uses and to control undesirable commercial uses on the street, these goals have already been accomplished far more efficiently through the C-2 Special Use zoning controls proposed by the Sacramento Street Neighborhood Improvement Association for uses between Lyon and Spruce which have been in effect this past year. These controls successfully prevented abusive commercial uses and placed limited use requirements on upper stories, also limiting residential-to-commercial conversions almost as strictly as the proposed RC zoning, and with far less red tape.

"Advocates of downzoning also cite reduced crime as one of their goals. But on Sacramento Street, it was residential, not commercial burglary which rose dramatically in the Sacramento Street area from 1978 to 1979. Police Department statistics make it clear that increasing commercial uses, at least along Sacramento Street, attracts crime less than retaining residential uses.

"For all of these reasons, it should be clear that there is no added advantage for the Planning Department to rezone the C-2 district on Sacramento Street between Lyon and Spruce to RC-1 or RC Special Use.

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"III. To sum up, downzoning the neighborhood commercial district on Sacramento Street in an area whose predominant character is already commercial has a number of very clear disadvantages.

- "A. First, downzoning is vastly time and energy inefficient. Discouraging neighborhood live/work space is especially unjustified in a time of high inflation and increasing cost of commuting. Many people want the convenience or need to do business, work, shop, or visit doctors and other professionals in their own neighborhoods. Today we should be doing everything we can to encourage this trend.
- "B. Second, downzoning threatens to jeopardize the financial investments of a number of owners on Sacramento Street, because transforming a building back to residential use after it has once been converted to office use is prohibitively expensive. Downzoning would affect an unreasonably large number of owners who have already converted to commercial uses on Sacramento Street.
- "C. Third, downzoning would require a tax-costly, time-consuming, and unnecessary bureaucratic addition to the Planning Department to handle the large number of conditional and nonconforming/noncomplying use hearing that would inevitable result from residential rezoning in a neighborhood already committed to commercial use like Sacramento Street.
- "D. Fourth, downzoning might require metered parking to be removed from Sacramento Street, inappropriately and unnecessarily handicapping the merchants who do elect to remain.
- "E. And fifth, and probably most important for the long-term interests of all of us, downzoning jeopardizes the free enterprise system on which each and every one of our lives is based. Free enterprise in this country depends on the continued vitality of small business, and small business in the cities in this country today has to start in the neighborhoods. Where else can the all-important 'little person' in business get started?

"I wish to thank the Planning Commission for considering these facts, and I request that a copy of this statement be included in the formal record of this hearing."

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Virginia Rotten, a Sacramento Street resident, said that crime, on Sacramento Street, was related to commercial and not residential use.

William Sepatis, President of the Haight Ashbury Merchants Association, said that all neighborhoods should share the burden of drug-abuse facilities. He said that property owners had not been notified of the proposed downzone of Haight Street.

Anna Dardin, of the Haight Ashbury Neighborhood Council, said that she would want to comment at a later date.

Gerard Gian, an owner of property on 18th Street between Castro and Hartford Streets, said that 90% of his block was commercial and that it was not suitable for residential use. He urged retention of C-2 zoning.

Chet Williams, a property owner in the area of Noe and Market Streets, said that controls would impair the nobility of commercial districts. He said that there had been totally inadequate notice of the proposed reclassifications.

Sam Schneider, a civil engineer and residential builder, said that there was often need for upper-story commercial space. Existing codes, he said, can be used to prevent the conversions of upper-story residential units. Under RC zoning, he said, you'll not get new rental construction. He urged retention of C-1 and C-2 zoning.

Sun Soon, a 24th Street property owner, urged retention of C-2 zoning on 24th Street east of Mission Street.

Joy Lock, an owner of property on 24th Street between Diamond and Castro Streets, said that the downzoning was unfair and that she had not been notified.

Bob Campbell, of the Pacific Heights Merchants and Property Owners Association, said that under interim control there would be a large number of conditional use applications and consequently delay. He said that "blanket" controls should not be universally applied.

Charles Haggner, of the Pacific Heights Residents Association, said that a simplified conditional use process and clear criteria were needed.

At this time Commissioner Christensen left the meeting.

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Mary Stamates, a resident of Sutter Street near Webster, expressed "concern" about the proliferation of "liquor" dispensing establishments in the area.

Harritt Witt, a resident owner at 1635 Filbert Street, said that there had been inadequate notice. She urged the Commission to endorse the concept of live-work space.

At this time, Commissioner Dearman left the hearing.

At the conclusion of public testimony, Mr. Passmore said that the staff recommendation was the following:

1. Continue Item No. 6 (ZM79.37) to February 7, 1980.
2. Continue Item No. 7 (ZM79.38) to January 17, 1980.
3. Continue Item No. 8 (ZM79.39) to January 31, 1980.
4. Continue Item No. 9 (ZM79.40) to January 24, 1980
5. Continue Item No. 10 (ZM79.12) to January 24, 1980.
6. Continue Item No. 11 (AM79.41) to January 24, 1980.
7. Continue Item No. 12 (ZM79.42) to February 7, 1980.
8. Continue Item No. 13 (ZM79.43) to February 7, 1980.
9. Continue Item No. 14 (37504199 - 24th Street, Diamond to Chattanooga Streets) to January 24, 1980.
10. Continue Item No. 15 (FILLMORE STREET, Bush to Jackson Streets and 2380-2499 Pine Street, Steiner to Fillmore; 2190-2250 Bush Street, Steiner to Fillmore) to January 17, 1980.
11. Continue Item No. 16 (UNION STREET SPECIAL USE DISTRICT will also be heard to bring its interim controls into conformance with those of the Special Use Districts considered above) to January 17, 1980
12. Continue Item No. 17 (1500-2299 UNION STREET between Steiner Street and Van Ness Avenue; 2959-3299 Fillmore Street; 2961-3023 Buchanan Street; 2169-2221 Filbert Street, 2645-2725 Gough Street; 2116-2207 Greenwich Street; 2633-2902 Laguna Street; 2762-2806 Octavia Street; and 2848-2922 Webster Street) to January 17, 1980.

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Commissioner Bierman moved approval of the staff recommendation. The motion was seconded by Commission Nakashima and passed unanimously

Adjournment: 7:30 p.m.

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SAN FRANCISCO
CITY PLANNING COMMISSION
MINUTES
OF THE
REGULAR MEETING
HELD
THURSDAY
NOVEMBER 8, 1979
ROOM 282, CITY HALL
1:30 P.M.

DOCUMENTS DEPT.

JUN 9 1980

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The City Planning Commission met pursuant to notice on Thursday, November 8, 1979, at 1:30 p.m. in Room 282, City Hall.

PRESENT: Toby Rosenblatt, President; Ina F. Dearman, Vice-President; Susan J. Bierman, John Christensen, Joseph Mignola and Yoshio Nakashima, members of the City Planning Commission.

ABSENT: Commissioner Charles Starbuck

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; Robert Passmore, Assistant Director of Planning; Wayne Rieke, Planner IV; Marie Zeller, Planner III; Edmond Ezra, Transit Planner I and Lee Woods, Secretary.

Gerald Adams represented the San Francisco Examiner. Marshall Kilduff represented the San Francisco Chronicle.

FIELD TRIP

At 12:00 noon, the Commission commenced a field trip to visit the sites of Zoning Cases scheduled for November.

APPROVAL OF MINUTES

The minutes of the Regular Meeting of August 9, 1979 were approved unanimously.

CURRENT MATTERS

A. Director's Report

With respect to high-rise development in the downtown, Rai Okamoto, Director of Planning, indicated that the staff would bring to the Commission recommendations for immediate zoning action and a request for authorization for a work program to update the downtown zoning ordinance.

Commissioner Bierman noted that 45%, of those who voted, voted for change. We should support, therefore, some kind of change, she said.

President Rosenblatt said that, if studies are completed and a Special Use District initiated, developers should not think that approval is automatic even if all Code requirements are met. C-3 district proposals could require Conditional Use approval, he said.

With respect to the North Point Pier Project, Robert Passmore, Assistant Director of Planning, said that tour boat operations and extended use of Pier 35 required Conditional Use Authorization.

Robert Passmore, Assistant Director of Planning, said that a public hearing, on the initiated Special Use District for the Sutro Baths site, would be scheduled for December 13th.

B. Commissioners' Questions and Matters

President Rosenblatt asked and the Commission agreed that litigation would be the subject of an Executive session which would be scheduled for November 15, 1979.

ZM79.24 - PROPOSAL INITIATED BY THE BOARD OF SUPERVISORS TO RECLASSIFY TO A DOLORES HEIGHTS SPECIAL USE DISTRICT THE PROPERTY CURRENTLY IN AN RH-1 (HOUSE, ONE-FAMILY) DISTRICT IN THE BLOCKS BOUNDED BY 19TH, 22ND, NOE AND CHURCH STREETS AND THE BLOCK BOUNDED BY 19TH, 20TH, NOE AND HARTFORD STREETS, LOTS 15, 16, 17, 18-34, 49-57, IN ASSESSOR'S BLOCK 3600, LOTS 5-7, 7A, 8, 8A, 9-17, 17A, 18-25, 27-31, 31A, 54-55, 57-58, 85-86 IN ASSESSOR'S BLOCK 3601, LOTS 3-29 IN ASSESSOR'S BLOCK 3602, LOTS 1-4, 6-8, 8A, 9-13, 15, 15A, 16-18, 18A, 19-26, 42-43, 44-47, 51-52, 58, 58A, 68-71, 76-90 IN ASSESSOR'S BLOCK 3604, LOTS 15-17, 19-21, 21A, 22-23, 27-36, 36A, 37-40, 42, 42A, 43, 43A, 44-50, 50A, 51, 51A, 52-55, 55A, 55B, 55C, 56-60 IN ASSESSOR'S BLOCK 3605, LOTS 13-16, 16A, 17, 17A, 18-19, 21-28, 28A, 29-31, 37-40, 43, 46-48, 48A, 49, 49A, 50-63, 63A, 64-65 AND 1A, 67-68, 71-75, 78-79 IN ASSESSOR'S BLOCK 3620, LOTS 1-4, 7-9, 41-65, 70, 73-77, 77A, 78, 78A, 79-83, 87-90, 92-93 IN ASSESSOR'S BLOCK 3621, IN ORDER TO REQUIRE A DEEPER REAR-YARD AND A LOWER HEIGHT LIMIT THAN WOULD OTHERWISE APPLY IN AN RH-1 DISTRICT.

A case report was available. It was summarized by Wayne Rieke, Planner IV.

Florence Holder represented the Dolores Heights Improvement Club. She testified that a study of Dolores Heights had found that more than fifty (50) percent of lots in the area had at least 45% rear yard open space. For Dolores Heights, she said that the Code's 25% rear yard requirement was inappropriate.

Appearing on behalf of the Dolores Heights Improvement Club, Donald Sullivan described the area in terms of its physical characteristics. He asserted that a required 45% rear yard open space provided the best opportunity for the protection of views.

Audrey Rogers, Chairperson of the Dolores Heights Special Use District Review Committee, said that a survey of the area found that two-thirds of the residents wanted a Special Use District.

Those responding, she said, expressed preference for a required forty-five (45) percent rear yard open space or a required minimum forty-five (45) percent total open space and a height limit of 35 feet on lots sloping steeply up from the street.

David Litkowski, a resident of the area opposed the proposed Special Use District.

Richard Margesey, a resident owner in the area, said that the Dolores Heights Improvement Club was not the sole representative of the neighborhood. The City has been downzoned already, he said. He said that the additional restrictions were unnecessary and unfair and that the area's uniqueness derived from the eclectic collection of buildings.

Robert Batchelor, an Architect and property owner at 482-484 Liberty Street, said that his alteration permit had been held up because of his property's proximity to the subject area and the Commission's policy of Discretionary Review. The boundary of the Discretionary Review policy exceeds the boundary of the Special district, he said. He asked the Commission to intervene and provide relief. President Rosenblatt asked that Mr. Batchelor confer with the Zoning Administrator.

Denise Grantman, a resident at 366 Cumberland Street, said that her home covered only thirty-five (35) feet of her lot. Additional building is precluded if my twenty (20) feet front setback is coupled with a rear yard of forty-five (45) percent open space, she said.

Robert Passmore, Assistant Director of Planning, said that it was the staff intent that the Commission take public testimony and that the matter be continued, for further study, to January 10, 1980.

Commissioner Bierman moved that the matter be continued to January 10, 1980. The motion was seconded by Commissioner Dearman and passed unanimously.

ZM79.27 - PROPOSAL INITIATED BY THE BOARD OF SUPERVISORS TO RECLASSIFY PROPERTY AT 3580 CALIFORNIA STREET, NORTHEAST CORNER OF SPRUCE STREET, LOTS 5A AND 19 IN ASSESSOR'S BLOCK 1018 FROM AN RM-1 (MIXED RESIDENTIAL, LOW DENSITY) DISTRICT TO A C-1 (NEIGHBORHOOD SHOPPING) DISTRICT.

Robert Passmore, Assistant Director of Planning, indicated that the applicant, for this proposal and Item No. 4 (ZM79.34), proposed reclassification of property at 2115-2145 Nineteenth Avenue and 1021 Quintara, had requested a continuance to November 29, 1979. This is the staff recommendation, he said.

Commissioner Nakashima moved approval of the staff recommendation. The motion was seconded by Commissioner Dearman and passed unanimously.

ZM79.33 - PROPOSAL INITIATED BY THE BOARD OF SUPERVISORS TO RECLASSIFY PROPERTY AT 2230 THROUGH 2296 GEARY BOULEVARD, NORTH SIDE BETWEEN BRODERICK AND DIVISADERO STREETS, LOTS 3-5, 5A, 6-9, 9A, 10-12 IN ASSESSOR'S BLOCK 1079 FROM AN RM-1 (MIXED RESIDENTIAL, LOW DENSITY) DISTRICT TO AN RC-4 (RESIDENTIAL-COMMERCIAL COMBINED, HIGH DENSITY) OR A C-2 (COMMUNITY BUSINESS) DISTRICT.

Wayne Rieke, Planner IV, summarized a case report. Copies had been provided to the Commission.

Joe O'Donohue represented the applicants. Mr. O'Donohue said that there were severe problems of traffic, noise, security and crime. The area is unsuitable for residential uses, he said. Mr. O'Donohue said that eighty (80) percent of business tenants supported the proposed change to C-2 zoning.

Theodore Eden, one of the applicants, said that it was virtually impossible to make residential buildings secure and that therefore, he could neither afford to build new units nor renovate existing units.

Responding to Commissioner Mignola, Mr. Eden characterized the area as "blighted".

Yvonne Don, a resident and owner in the area, said that she preferred RC-4 to C-2 and the problems which result from intense commercial use. Richard Schrieve, a Post Street resident, expressed his opposition to C-2.

Robert Passmore, Assistant Director of Planning, said that the staff recommendation was for disapproval of C-2. RC-4, he said, might be more appropriate. There is no apparent need for new C-2, but there is need for residential, he said.

Commissioner Bierman said that she clearly understood the need for new residential but that additional C-2 might relieve some of the pressure on existing C-2 and initiated RC zones.

Responding to Commissioner Christensen, Mr. Passmore said that RC-4 could result in development too intensive for the area.

Saying that he believed that the Commission had been persuaded by the arguments that the area was inappropriate for residential uses, Commissioner Nakashima moved the Commission's intent to approve and an instruction to the staff to return the following week with a formal resolution. The motion was seconded by Commissioner Bierman and passed by a vote of 5-1. Voting yes: Commissioners Bierman, Christensen, Mignola, Nakashima and Rosenblatt. Voting no: Commissioner Dearman. Absent: Commissioner Starbuck.

ZM79.51 - A PROPOSAL INITIATED BY THE BOARD OF SUPERVISORS TO RECLASSIFY PROPERTY AT 2801 THROUGH 2867 SACRAMENTO STREET, SOUTH SIDE BETWEEN SCOTT AND DIVISADERO STREETS, LOTS 1 AND 21-26 IN ASSESSOR'S BLOCK 1026 FROM AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT TO AN RM-2 (MIXED RESIDENTIAL, MODERATE DENSITY) DISTRICT.

The Commission agreed to waive a presentation of the staff's case report.

Fred Hurth, a resident owner at 2853 Sacramento Street, said that he represented all the south side owners of the block. We opposed the downzone to RH-2, and think that the appropriate zoning should be RM-3 or RM-4, he said.

Robert Passmore, Assistant Director of Planning, said that the staff recommendation was for approval.

Commissioner Bierman said that more intensive development would have a negative impact and that a reclassification would put existing structures in jeopardy.

Commissioner Nakashima moved approval of the staff recommendation. The motion was seconded by Commissioner Christensen. The matter failed by a vote of 3-3. (In accordance with the rules and regulations of the City Planning Commission, a tie vote on any matter before the Commission shall be deemed to be a disapproval thereof.) The staff was instructed to return with a formal resolution, the following week.

ZM79.47 - REQUEST FOR RECLASSIFICATION OF PROPERTY AT 2130 POST STREET, NORTH SIDE BETWEEN PIERCE AND SCOTT STREETS, LOT 39 IN ASSESSOR'S BLOCK 681, FROM A C-2 (COMMUNITY BUSINESS) DISTRICT TO AN RM-3 (MIXED RESIDENTIAL, MEDIUM DENSITY) DISTRICT.

The Commission agreed that it would take, simultaneously, testimony on this item and the companion Item No. 8 (CU79.80), a request for authorization of a Planned Unit Development at 2130 Post Street.

A case report, for each item, was summarized briefly by Robert Passmore, Assistant Director of Planning. At the conclusion of his presentation, Mr. Passmore said that the Western Addition Project Area Committee had raised a question about the amount of parking to be provided.

Representing the applicant, Robert Radcliff said that there was provision for 68 spaces and that, in tandem, 73 cars could be accommodated.

Robert Passmore, Assistant Director of Planning, said that the staff recommendation was for approval of both the application for the reclassification and the Planned Unit Development.

Commissioner Dearman moved approval of the staff recommendation. The motion was seconded by Commissioner Nakashima. Item No. 7, ZM79.47 was approved unanimously as City Planning Commission Resolution No. 8412. Absent: Commissioner Starbuck. Item No. 8, CU79.80 was approved unanimously as City Planning Commission Resolution No. 8413. Absent: Commissioner Starbuck.

ZT79.2 - CONSIDERATION OF A TEXT AMENDMENT INITIATED BY THE BOARD OF SUPERVISORS TO AMEND SECTION 105.1 OF THE CITY PLANNING CODE TO ALLOW AS A TEMPORARY 60-DAY USE OF PROPERTY IN RESIDENTIAL AND COMMERCIAL DISTRICTS THE OPEN AIR SALE OF AGRICULTURALLY-PRODUCED SEASONAL DECORATIONS, INCLUDING, BUT NOT NECESSARILY LIMITED TO, CHRISTMAS TREES AND HALLOWEEN PUMPKINS.

Robert Passmore, Assistant Director of Planning, noted that the proposed amendment had been initiated by the Board of Supervisors. The staff recommendation is for approval, he said.

Mrs. C. Gilfeather, a resident at 20th Avenue and Sloat Boulevard, said that she was opposed. What results, she said, is additional traffic congestion and noise in residential districts.

At this time, Commissioner Dearman left the meeting.

Commissioner Bierman moved approval of the staff recommendation. The motion was seconded by Commissioner Nakashima and passed by a vote of 4-1 as City Planning Commission Resolution No. 8414. Voting no: Commissioner Rosenblatt. Absent: Commissioners Dearman and Starbuck.

EE79.153 - APPEAL OF NEGATIVE DECLARATION FOR SIX SINGLE-FAMILY DWELLINGS; WEST SIDE OF ANDERSON, SOUTH OF CRESCENT, LOTS 17-22 IN ASSESSOR'S BLOCK 5811; EACH ONE STORY OVER GARAGE, TWO PARKING SPACES, APPROXIMATELY 10,650 TOTAL SQUARE FEET, REQUIRING BUILDING PERMIT APPLICATIONS 7903889-7903894.

Edmond Ezra, Transit Planner I, noted that the hearing had been continued from October 25th. He reviewed the content of the Preliminary Negative Declaration.

Violet Gurewosha, a resident at 741 Anderson Street, testified that the parking had not been treated adequately in the Negative Declaration. Ray Francoise, a resident at 710 Anderson, said that there was not sufficient emergency vehicle access to permit additional development. Bernice Esposito, a neighborhood resident, said that parking and access were severe problems. Additionally, she said that the sixth building, proposed for the base of Anderson Street, extended beyond the retaining wall at the base of the hill, that garages should be set back to eliminate space which could be used for additional units and that design should be compatible with the neighborhood.

Roger Borgenicht, a resident of the area, said that the environmental evaluation should clarify the location, of the sixth building, in relation to the retaining wall.

Robert Passmore, Assistant Director of Planning, said that the staff recommendation was to sustain the Negative Declaration. It can be amended to include survey data showing the location of the retaining wall, he said.

At this time, Commissioner Nakashima left the meeting.

Commissioner Christensen moved approval of the staff recommendation. The motion was seconded by Commissioner Mignola and passed unanimously as City Planning Commission Resolution No. 8415.

Absent: Commissioners Dearman, Nakashima and Starbuck.

DR79.22 - CONSIDERATION OF DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NOS. 7903889-7903894; SIX SINGLE-FAMILY DWELLINGS; WEST SIDE OF ANDERSON STREET, SOUTH OF CRESCENT STREET, LOTS 17-22 IN ASSESSOR'S BLOCK 5811, EACH ONE STORY OVER GARAGE, TWO PARKING SPACES, APPROXIMATELY 10,650 TOTAL SQUARE FEET.
(Continued from the Regular Meeting of October 25, 1979.)

Robert Passmore, Assistant Director of Planning, said that Discretionary Review was not warranted. Land records could be recorded to indicate single-family buildings, only, he said.

With respect to exterior design, he said that garage door openings could be reduced and that the Commission could require that roof-top treatment, materials and the location of setbacks be subject to Department review and approval.

With respect to interior space, Peter Macchi, representing the applicant, said that the applicant was prepared to delete "wet-bars" proposed for the lower levels. To make the buildings saleable, we need three bedrooms and two baths, he said.

President Rosenblatt suggested that Discretionary Review was appropriate as a means of establishing conditions of the type discussed.

Commissioner Bierman moved that the Commission take Discretionary Review. The motion was seconded by Commissioner Mignola and passed unanimously. Absent: Commissioners Dearman, Nakashima and Starbuck.

DR79.22 - DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NOS. 7903889-7903894; SIX SINGLE-FAMILY DWELLINGS; WEST SIDE OF ANDERSON STREET, SOUTH OF CRESCENT STREET, LOTS 17-22 IN ASSESSOR'S BLOCK 5811; EACH ONE STORY OVER GARAGE, TWO PARKING SPACES, APPROXIMATELY 10,650 TOTAL SQUARE FEET.

Peter Macchi, representing the applicant, said that the three-bedroom and two-bath units would be attractive and saleable. If there are fears of conversion and extra units, we will eliminate the proposed "wet-bars", he said.

Commissioner Bierman said that approval would invite the creation of illegal units and result in more cars and traffic on a very difficult block.

Roger Borgenicht, representing residents of the neighborhood, said that the neighborhood would be troubled by design incompatibility (in terms of roof-top treatment), the possibility of illegal units and the location of the sixth building in relation to the retaining wall.

Commissioner Christensen moved that the matter be continued for one week to provide time for exploration of ways to prevent the development of illegal units and to provide time for an investigation of the relationship of the sixth building to the retaining wall. The motion was seconded by Commissioner Mignola and passed unanimously. Absent: Commissioners Dearman, Nakashima and Starbuck.

INFORMATIONAL PRESENTATION OF THE PROPOSED REDESIGN OF THE GREAT HIGHWAY BETWEEN LINCOLN BOULEVARD AND THE CLIFF HOUSE

Marie Zeller, Planner III, said that a public hearing would be scheduled for thorough Commission consideration of redesign of the Great Highway. She said that the Coastal Commission would review, soon, the proposed redesign and that Department staff thought that it should be seen, first, by the City Planning Commission. No Action is required tonight, she said.

Adjournment: 8:15 p.m.

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SAN FRANCISCO
CITY PLANNING COMMISSION
MINUTES
OF THE
REGULAR MEETING
HELD
THURSDAY
DECEMBER 13, 1979
ROOM 282, CITY HALL
1:30 P.M.

DOCUMENTS DEPT.

JUN 0 1980

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PUBLIC LIBRARY

The San Francisco City Planning Commission met pursuant to notice on Thursday, December 13, 1979, at 1:30 p.m. in Room 282, City Hall.

PRESENT: Toby Rosenblatt, President; Ina F. Dearman, Vice-President; Susan J. Bierman, Anne Kronenberg, Yoshio Nakashima, Charles Starbuck III and Wallace Wortman, members of the City Planning Commission.

ABSENT: None

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; Robert Passmore, Assistant Director of Planning; George Williams, Assistant Director of Planning; Wayne Rieke, Planner IV; Alec Bash, Planner IV; Jim Miller, Planner II and Lee Woods, Secretary.

Gerald Adams represented the San Francisco Examiner. Mike Mewhinney represented the San Francisco Progress.

FIELD TRIP

At 12:00 noon, members of the Commission and staff departed from 100 Larkin Street to visit the sites of cases scheduled for consideration during the month of December.

APPROVAL OF MINUTES

The minutes of the Regular Meeting of November 8, 1979 were approved unanimously.

CURRENT MATTERS

A. Director's Report

CONSIDERATION OF INITIATION TO CONSIDER MODIFICATION TO CONDITIONS ESTABLISHED UNDER CITY PLANNING COMMISSION RESOLUTION NO. 7765 FOR MOORING OF THE SANTA ROSA, AN HISTORIC VESSEL, FOR NON-MARITIME ACTIVITIES, AT PIER 1, NORTH SIDE, EAST OF THE EMBARCADERO.

With respect to mooring for the Historic Vessel, Santa Rosa, and in the context of proposed "Amendments to the Plan for the Northeastern Waterfront", Rai Okamoto, Director of Planning, indicated that there was a draft resolution before the Commission. The draft contained the following "Resolved" clause: "THEREFORE BE IT RESOLVED, That the City Planning Commission does hereby initiate consideration of a conditional use to modify stipulations established under City Planning Commission Resolution No. 7765 for mooring of the Santa Rosa, an historic vessel, for non-maritime activities at Pier 1 or at Pier 3, east of The Embarcadero.

The Director said that the Conditional Use would be scheduled to coincide with the hearing on the Vessels Delta King and Fresno.

Commissioner Bierman moved approval of the draft resolution. The motion was seconded by Commissioner Nakashima and passed unanimously as City Planning Commission Resolution No. 8446.

With respect to adoption of the Preliminary Plan for the Bayview Industrial Triangle Redevelopment Project, George Williams, Assistant Director of Planning, said that there had been inadequate hearing notice but that there were people who wished to testify. We recommend he said, that you take testimony and continue the matter to December 20, 1979.

Tom Conrad, representing the San Francisco Redevelopment Agency, described the proposed plan as a Voluntary Industrial Rehabilitation Project. He said that every effort would be made to minimize the displacement of existing tenants and that where relocation was necessary, a full range of benefits would be available.

Tom Wilson, representing the Peninsula Oil Company, said that the plan was just the impetus needed to revitalize the area.

At the conclusion of public testimony, Commissioner Bierman moved that the matter be continued to December 20, 1979. The motion was seconded by Commissioner Dearman and passed unanimously.

B. Commissioners' Questions and Matters

With respect to Journalist Gerald Adams of the San Francisco Examiner, Commissioner Starbuck introduced a draft resolution containing the following "Resolved" clause: "THEREFORE BE IT RESOLVED, That the San Francisco City Planning Commission does hereby commend and congratulate Mr. Adams for his seemingly unlimited tolerance for lengthy and often confusing public hearings, his excellent reporting ability and his numerous contributions to public awareness and knowledge.

Approval of the draft resolution was moved by Commissioner Starbuck, seconded by Commissioner Dearman and passed unanimously as City Planning Commission Resolution No. 8447.

In the context of the Subdivision Code and Condominium Conversion Subdivision, the Commission instructed the staff to seek a formal opinion, from the City Attorney, asking if there was a minimum period beyond which a conversion application could be heard after initial withdrawal where there were reasons to suspect violations of Section 1394 of the Subdivision Code.

With respect to Department efforts related to the 1980 Census, President Rosenblatt asked that a Status Report be calendared for January of 1980.

AMENDMENTS TO THE PLAN FOR THE NORTHEASTERN WATERFRONT, ADOPTED AS PART OF THE MASTER PLAN, RELATING TO LAND USES IN THE NORTHEASTERN WATERFRONT SURVEY AREA, GENERALLY BETWEEN PIERS 7 AND 46, TO CONFORM TO PROPOSALS OF THE NORTHEASTERN WATERFRONT ADVISORY COMMITTEE.

(Continued from the Regular Meeting of November 15, 1979)

Rai Okamoto, Director of Planning, noted that required Port Commission action had not occurred. We recommend, he said, that this matter be continued to January 10, 1980.

Commissioner Bierman moved the staff recommendation. The motion was seconded by Commissioner Nakashima and passed unanimously.

DR79.23 - DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NO. 7910686 FOR A 6-STORY OFFICE BUILDING AT ONE VAN NESS AVENUE AT THE NORTHWEST CORNER OF VAN NESS AND MARKET STREET, PURSUANT TO THE RESOLUTION NO. 6111.

(Continued from the Regular Meeting of December 6, 1979)

Rai Okamoto, Director of Planning, indicated that the applicant, by letter, had withdrawn the application and that no Commission Action was required.

CU79.100 - CONSIDERATION OF CONDITIONAL USE AT 1201 - 19TH AVENUE, SOUTHWEST CORNER AT LINCOLN WAY, LOT 1 IN ASSESSOR'S BLOCK 1731, TO MODIFY CONDITIONS AND TO CLARIFY PRIOR STIPULATIONS ESTABLISHED A RESTAURANT, OR TO REVOKE OR SUSPEND SAID AUTHORIZATION FOR A RESTAURANT, IN AN RM-2 (MIXED RESIDENTIAL, MODERATE DENSITY) DISTRICT.

A case report was available. It was summarized by Robert Passmore, Assistant Director of Planning.

With respect to a Commission request for a formal City Attorney opinion on the Commission's jurisdiction in this matter, Mr. Passmore noted that the opinion (No. 79-83) had been prepared and that copies had been provided to the Commission. Mr. Passmore reviewed the content of the opinion.

Dennis Antenore, an attorney, represented Sunset Neighbors United.

George Choppelas, an attorney, represented Arthur B. Zimmerman and Zim's Restaurants, Inc., operators of the proposed facility.

Jack S. Schwartz, an attorney, represented Jack Krystal, owner of the subject property.

Jim Fotenos, Tonia Lite, Ruth Call and Barry Perl, Sunset district residents, spoke in opposition to the intensification of use beyond what is ordinarily permitted in the C-1 district.

At the conclusion of public testimony, Mr. Passmore said that the staff recommendation was that the Commission reaffirm Resolution No. 7534 for approval subject to a number of conditions.

Commissioner Dearman moved approval of a draft resolution containing the following "Resolved" clause: "AND BE IT FURTHER RESOLVED, That the City Planning Commission finds that the criteria set forth in Section 303(c) of the City Planning Code are met and the authorization of the Conditional Use Restaurant approved by the City Planning Commission Resolution No. 7534 is hereby reaffirmed in accordance with standards specified in the City Planning Code and subject to further conditions as follows:

1. This authorization is for a restaurant and accessory cocktail lounge and bar only.
2. Said restaurant may occupy the building currently under construction on the subject site; any expansion of the exterior dimensions of said building shall be allowed only after specific authorization by the City Planning Commission pursuant to an advertised public hearing.
3. Total seating capacity shall not exceed 178 persons exclusive of banquet rooms. The seating capacity of the banquet rooms shall not exceed the capacity permitted under the Building Code for an area equal to the occupied floor area shown as banquet rooms on the plans designated Exhibit A under Resolution No. 7534.
4. The maximum number of seats in lounge or bar areas shall be 85.
5. Hours of operation, Sunday through Thursday, will be 6:00 A.M. to 12:00 P.M. (Midnight). Hours of operation, Friday through Saturday, will be 6:00 A.M. to 2:00 A.M.
6. The use of the subject property and the structure on it shall not include any activities which would require a Cabaret permit, a Dance Hall Keeper permit or a Place of Entertainment permit as defined by and regulated under the Police Code.
7. The operation of the restaurant, bar and lounge shall comply with all applicable noise ordinances.
8. No valet parking shall be permitted in conjunction with this use.

9. The operator of the restaurant shall provide an attendant in the parking lot to direct traffic during those periods in which the parking lot is full or nearly full, and to prevent excessive noise resulting from arriving and exiting of restaurant and bar patrons.
10. All exterior lighting on the subject property shall be of low intensity and directed away from surrounding properties.
11. Appropriate barriers shall be installed to protect abutting properties from moving or parked automobiles on the subject site.
12. The entire facility shall be open to the general public. No private clubs nor private memberships shall be permitted.
13. Odors emanating from the food storage and preparation areas shall not be noticeable beyond the boundaries of the subject property.
14. Final plans for the layout of the parking area shall show a minimum of one independently-accessible off-street parking space per 156 square feet of occupied floor area in the building and shall be approved by the Department of City Planning.
15. A landscaping plan for the parking area consistent with the requirements of Condition No. 14, sidewalk area and building wall area, including screening of the parking area from adjacent residential properties, shall be submitted to the Department of City Planning for review and approval subsequent to the date of this Resolution and before the issuance of any further permits for this site.
16. All landscaping material shall be installed and maintained in a healthy condition by the applicant in accordance with the plan approved under Condition No. 15 above and shall be replaced by the applicant whenever defective or deteriorated.
17. Any exterior signs shall be approved by the Department of City Planning.

18. In consultation with and with approval by the Department of City Planning and the Municipal Railway, the subject property owner shall have designed and installed a bus bench and a safe standing area for pedestrians along each of the street frontages.
19. The subject property owner shall submit Final Plan, including plans for parking, landscaping and signs, to the Department of City Planning for review and approval by the City Planning Commission, incorporating any and all improvements proposed, which Final Plans shall be in conformity with all the above conditions, prior to any release of any building permit applications by the Department; staff of the Department shall review and approve all plans relating to construction on the subject property for specific conformity to said Final Plans prior to issuance of a Permit of Occupancy for the subject property.

The motion was seconded by Commissioner Bierman and passed unanimously as City Planning Commission Resolution No. 8448.

NOTE: A Certified Court Reporter was present. An official transcript has been made and is available, for reference purposes, in the files of the Department of City Planning.

ZM79.18 - CONSIDERATION OF RECLASSIFICATION OF PROPERTY AND
ZT79.5 AMENDMENT OF CITY PLANNING CODE CONCERNING PROPERTY
AT THE FORMER SUTRO BATHS SITE, NORTH OF POINT LOBOS
AVENUE, LOT 21 IN ASSESSOR'S BLOCK 1313, TO ESTABLISH
A SPECIAL USE DISTRICT TO REQUIRE CONDITIONAL USE
AUTHORIZATION FOR ALL USES, A BUILDING HEIGHT LIMITA-
TION OF SITE AREA ON WHICH BUILDINGS OR IMPROVEMENTS
MAY BE LOCATED, IN A C-2 (COMMUNITY BUSINESS)
DISTRICT.

President Rosenblatt indicated the owners of the subject property had requested continuance. The staff, he noted, has recommended continuance to February 21, 1980.

Commissioner Dearman moved that the matter be continued to February 21, 1980. The motion was seconded by Commissioner Nakashima and passed unanimously.

RS79.85 - REVIEW FOR CONSISTENCY WITH MASTER PLAN FOR 953 CLAYTON STREET, WEST SIDE BETWEEN PARNASSUS AVENUE AND 17TH STREET, LOT 7 IN ASSESSOR'S BLOCK 1279, FOR 6-UNIT CONDOMINIUM CONVERSION SUBDIVISION.

A case report was available, it was summarized by Jim Miller, Planner II.

Responding to Commissioner Bierman, Alec Bash, Planner IV, said that the approximate ownership costs, before tax savings, on an \$170,000 unit would be \$1,500 to \$1,600 per month and approximately \$1,700 to \$1,800 on an \$190,000 unit.

Carl San Jines, a Clayton Street resident, urged the Commission to deny the application. There will be no parking provided and congestion is a problem, he said. Mr. San Jines said that it was a purely speculative project and that rental people would be driven from the neighborhood. Mr. San Jines said that he believed that there were only five (5) units in the building.

After hearing the testimony of Mr. San Jines, Mr. Bash recommended that the matter be continued for one week to determine the exact number of units in the building.

Commissioner Starbuck moved that the matter be continued one week. The motion was seconded by Commissioner Dearman and passed unanimously.

RS79.80 - REVIEW FOR CONSISTENCY WITH MASTER PLAN FOR 100 PARKER AVENUE, SOUTHEAST CORNER AT EUCLID AVENUE, LOT 48 IN ASSESSOR'S BLOCK 1065, FOR 15-UNIT CONDOMINIUM CONVERSION SUBDIVISION.

A case report was available. It was summarized by Jim Miller, Planner II. Mr. Miller said that the Director's recommendation was that the matter be found to be consistent with the Master Plan.

Tim Tosta, an attorney representing the applicant, said that there were five (5) tenants who favored the proposal and that they were willing to testify to that effect.

Commissioner Bierman said that there were ownership opportunities in new condominium construction and that the existing rental stock should be preserved.

Commissioner Nakashima moved approval of the staff recommendation. The motion was seconded by Commissioner Wortman and passed by a vote of 4-3 as City Planning Commission Resolution No. 8449. Voting yes: Commissioners Kronenberg, Nakashima, Rosenblatt and Wortman. Voting no: Commissioners Bierman, Dearman and Starbuck.

RS79.91 - REVIEW FOR CONSISTENCY WITH MASTER PLAN FOR 1845 LEAVENWORTH STREET, WEST SIDE, AND 1111-39 GREEN STREET, SOUTH SIDE, LOTS 3, 4, 20 AND 21 IN ASSESSOR'S BLOCK 125, FOR 22-UNIT CONDOMINIUM CONVERSION SUBDIVISION.

President Rosenblatt indicated that the application had been withdrawn and that there was no permit before the Commission.

Patty Raides, a former tenant of the building, testified that, under a previous and present owner, tenants had been evicted for renovation. The purpose of the renovation, she said, was to create vacancies for future conversion. She said that the code did not provide for an absolute right to withdraw, and she urged the Commission to retain jurisdiction.

Commissioner Starbuck said that a weakness of the Subdivision Code was the ability of an applicant to withdraw without prejudice where there were indications of possible violations of the code.

The Director suggested and the Commission agreed that a formal opinion from the City Attorney should be sought. The issue, President Rosenblatt said, is whether the Commission is required to accept, in less than one (1) year, an application which had been withdrawn with prejudice.

No further action was possible.

RS79.92 - REVIEW FOR CONSISTENCY WITH MASTER PLAN FOR 2211 CALIFORNIA STREET, SOUTH SIDE BETWEEN BUCHANAN AND WEBSTER STREETS, LOT 35 IN ASSESSOR'S BLOCK 652, FOR 27-UNIT CONDOMINIUM CONVERSION SUBDIVISION.

A case report was available and summarized by Jim Miller, Planner II. Mr. Miller said that the staff recommendation was for a finding of consistency with the Master Plan.

Tim Tosta, an attorney representing the applicant, testified that the building had sustained \$326,000 in fire damage, that the applicant had contracted for \$486,000 in renovation expenses and that the applicant had agreed to double the required low and moderate income set-aside.

Thomas Patterson, a resident of 2009 Buchanan Street, said that off-street parking should be provided.

Commissioner Nakashima moved approval of the staff recommendation. The motion was seconded by Commissioner Kronenberg and passed by a vote of 4-2 as City Planning Commission Resolution No. 8450. Voting yes: Commissioners Kronenberg, Nakashima, Rosenblatt and Wortman. Voting no: Commissioners Bierman and Starbuck. Absent: Commissioner Dearman.

RS79.99 - REVIEW FOR CONSISTENCY WITH MASTER PLAN FOR 3436 CLAY STREET, NORTH SIDE BETWEEN WALNUT AND LAUREL STREETS, LOT 8 IN ASSESSOR'S BLOCK 996, FOR 6-UNIT CONDOMINIUM CONVERSION SUBDIVISION.

A case report was available and summarized by Jim Miller, Planner II. Mr. Miller said that the staff recommendation was for a finding of consistency with the Master Plan.

Based on proposed sales prices and estimated monthly ownership costs, Commissioner Bierman noted that, under an ownership scheme, the buildings tenants would be required to generate \$2,200 as opposed to \$560.00 under the existing rental scheme. It's going to change the composition of this City, she said.

Commissioner Nakashima moved approval of the staff recommendation. The motion was seconded by Commissioner Wortman and passed by a vote of 4-2 as City Planning Commission Resolution No. 8451. Voting yes: Commissioners Kronenberg, Nakashima, Rosenblatt and Wortman. Voting no: Commissioners Bierman and Starbuck. Absent: Commissioner Dearman.

CU79.71 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE AT 3901 CALIFORNIA STREET, SOUTHWEST CORNER AT ARGUELLO BOULEVARD, LOT 46 IN ASSESSOR'S BLOCK 1361, TO REMOVE 1980 TERMINATION DATE FROM NON-CONFORMING USE SERVICE STATION, IN AN RM-2 (MIXED RESIDENTIAL, MODERATE DENSITY) DISTRICT.

A case report was available. It was summarized by Wayne Rieke, Planner IV. Mr. Rieke said that the staff recommendation was that the application for Conditional Use be disapproved.

John Cirone, representing Texaco Oil Company, testified that, if the station were to close, gasoline previously allocated to it would be placed in a "pool" for redistribution nationally.

Commissioner Starbuck moved approval of the staff recommendation for disapproval. The motion was seconded by Commissioner Kronenberg.

President Rosenblatt, responding to the staff recommendation, said that he understood the critical need for housing but that the possibility of lost gasoline allocations should be considered.

The Director said that he would attempt to verify the issue of lost gasoline allocations.

The motion for disapproval failed by a vote of 2-4.

Commissioner Bierman said that, if the gasoline crisis continued, some stations will be forced to close. She said that there was also the issue of jobs. She moved the Commission's intent to extend non-conforming use status for five (5) years and asked the staff to return in one week with a formal resolution. The motion was seconded by Commissioner Nakashima and passed by a vote of 4-2. Voting no: Commissioners Kronenberg and Starbuck. Absent: Commissioner Dearman.

CU79.72 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE AT 1700 FELL STREET, NORTHWEST CORNER AT MASONIC AVENUE, LOT 6 IN ASSESSOR'S BLOCK 1209, TO REMOVE 1980 TERMINATION DATE FROM NON-CONFORMING USE SERVICE STATION, IN AN RH-3 (HOUSE, THREE-FAMILY) DISTRICT.

A case report was available and summarized by Wayne Rieke, Planner IV. Mr. Rieke said that, based on the City's need for housing, the staff recommendation was for disapproval.

Bob Brown, representing Texaco, said that it was a high-volume and vital station. Amortization of our investment requires more than five (5) years, he said.

A motion by Commissioner Starbuck for an extension of three (3) years failed by a vote of 2-4.

Commissioner Nakashima moved the Commission's intent to approve a five (5) year extension and asked the staff to return in one week with a formal resolution. The motion was seconded by Commissioner Bierman and passed by a vote of 4-2. Voting no: Commissioners Kronenberg and Starbuck. Absent: Commissioner Dearman.

CU79.73 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE AT 796 SOUTH VAN NESS AVENUE, NORTHWEST CORNER AT 19TH STREET, LOT 10 IN ASSESSOR'S BLOCK 3590, TO REMOVE 1980 TERMINATION DATE FROM NON-CONFORMING USE SERVICE STATION, IN AN RH-3 (HOUSE, THREE-FAMILY) DISTRICT.

After presenting the case report, Wayne Rieke, Planner IV, said that three (3) letters had been received in opposition and that the staff recommendation was for disapproval.

Fred Burketta, representing Olympic Oil Company, said that this was a fairly high volume station. He said that reduced allocation had caused nine (9) of twenty (20) stations to close, that this station employed four persons from the neighborhood and that the station provided gasoline, at an extremely competitive price, to the neighborhood. Also, he said that the loss of the station meant the loss of the allocation.

Commissioner Bierman moved approval of a five-year extension of the non-conforming use. She asked the staff to return in one week with a formal resolution. The motion was seconded by Commissioner Nakashima and passed by a vote of 4-2. Voting no: Commissioners Kronenberg and Starbuck. Absent: Commissioner Dearman.

CU79.74 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE AT 501 MONTEREY BOULEVARD, SOUTHWEST CORNER AT EDNA STREET, LOT 1 IN ASSESSOR'S BLOCK 3116, TO REMOVE 1980 TERMINATION DATE FROM NON-CONFORMING USE SERVICE STATION, IN AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT.

After his presentation of the case report, Wayne Rieke, Planner IV, said that the Department had received two letters in support of the application and one letter in opposition. The staff recommendation, he said, is for disapproval.

Hank Pierce, the operator, said that he had been in the neighborhood for eleven (11) years and that he sold 11,000 gallons of fuel per month.

Don McCready, representing the Sunnyside association, said that the station was an asset to the neighborhood.

Commissioner Bierman moved a five (5) year extension of the non-conforming use application and requested that the staff return in one week with a formal resolution. The motion was seconded by Commissioner Nakashima and passed by a vote of 4-2. Voting no: Commissioners Kronenberg and Starbuck. Absent: Commissioner Dearman.

CU79.76 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE AT 101 FARALLONES STREET, SOUTHWEST CORNER AT PLYMOUTH AVENUE, LOT 1 IN ASSESSOR'S BLOCK 7107, TO REMOVE 1980 TERMINATION DATE FROM NON-CONFORMING USE SERVICE STATION, IN AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT.

Having visited the site, the Commission agreed to waive a presentation of the case report.

Kermit Scarborough, the operator, said that he had expended \$2,500 for street repair and \$700.00 for plumbing fixtures. My business is good for the neighborhood and I intend to upgrade my station, he said.

Commissioner Bierman moved the Commission's intent to approve a five (5) year extension of non-conforming use status and requested that the staff return in one week with a formal resolution. The motion was seconded by Commissioner Nakashima and passed by a vote of 5-1. Voting no: Commissioner Starbuck. Absent: Commissioner Dearman.

DR79.28 - CONSIDERATION OF DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NOS. 7910865 AND 7803257 FOR MODIFICATIONS TO A SINGLE-FAMILY DWELLING UNDER CONSTRUCTION AT 150 GLENBROOK AVENUE.

President Rosenblatt said that the Director's recommendation was that the matter be continued indefinitely.

Robert Passmore, Assistant Director of Planning, said that the project had undergone major structural changes. He said that the Bureau of Building Inspection had found discrepancies between approved plans and what is under construction. All work has been stopped, he said.

Commissioner Starbuck moved indefinite continuance. The motion was seconded by Commissioner Dearman and passed unanimously.

Adjourned: 8:25 p.m.

Respectfully submitted,

Lee Woods
Administrative Secretary

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SAN FRANCISCO
CITY PLANNING COMMISSION
SUMMARY AND MINUTES
OF THE
REGULAR MEETING
HELD
THURSDAY, DECEMBER 20, 1979
ROOM 282, CITY HALL
1:30 P.M.

The City Planning Commission met pursuant to notice on Thursday, December 20, 1979, at 1:30 P.M. in Room 282, City Hall.

PRESENT: Toby Rosenblatt, President; Susan J. Bierman, Ina Dearman, Vice President; Anne Kronenberg, Yoshio Nakashima, members of the City Planning Commission.

ABSENT: Charles Starbuck and Roger Boas, members of the Commission.

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; George Williams, Assistant Director - Plans and Programs; Daniel J. Sullivan, Acting Zoning Administrator; Wayne Rieke, Planner IV; Alan Lubliner, Project Manager, Center City Circulation Program; Sidney Shaw, Planner III; Joseph Fitzpatrick, Planner III, Edward Green, Technical Studies Supervisor; James Miller, Planner II; Chi-Hsin Shao, Planner II; and Robert Feldman, Acting Secretary.

Gerald Adams represented the San Francisco Examiner.

CURRENT MATTERS

President Rosenblatt introduced Anne Kronenberg, Administrative Assistant to Commissioner Richard Sklar, General Manager of Public Utilities, who was sitting as alternate to Commissioner Sklar.

EE79.424 - Rai Y. Okamoto, Director of Planning, explained to the Commission that the appeal of the Negative Declaration for the proposed Downtown Special Use District, file No. EE79.424, tentatively scheduled for this date was inadvertently not calendared and he asked that the Commission by motion set the hearing for that matter on January 3, 1980. Copies of a letter received at the department December 19, 1979, from Zane O. Gresham, attorney for the Daon Corporation, appellant, supporting this appeal, were distributed to the members of the Commission. Commissioner Bierman moved, and Commissioner Dearman seconded, that the appeal on the Negative Declaration for the proposed Downtown Special Use District, EE79.424, be scheduled for public hearing on January 3, 1980, at the regular meeting of the Commission. The motion was adopted unanimously.
(Absent: Commissioners Boas, Starbuck)

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The Director and Daniel J. Sullivan, Acting Zoning Administrator, summarized the actions taken at the Planning, Housing and Development Committee of the Board of Supervisors at the Committee's meeting on December 18th. The Committee sent to the full Board with a "do pass" recommendation a text change in the non-conforming use provisions of the Planning Code introduced by Supervisor Britt that would allow non-conforming commercial uses exempt from termination to remain open until 2 A.M. where the current provision would allow them to remain open only until 10 P.M.

The Director distributed to the members of the Commission a memorandum written by Peter Groat, Planner IV, concerning preparations for the 1980 census.

The Director reminded the Commission and the audience that the meeting of December 27, 1979, had been cancelled as noted twice on the notice for the meeting of December 20th.

INFORMATIONAL PRESENTATION OF CENTER CITY CIRCULATION
PROGRAM PRELIMINARY REPORT

The Director introduced Alan Lubliner, Project Manager, Center City Circulation Program, who presented the preliminary improvement program for downtown transportation. He distributed to the members of the Commission a list of the 104 projects included in the programs, with 4 maps attached showing transit improvements, pedestrian movement improvements, traffic, parking, parking-shuttle improvements and other on-going projects. Mr. Lubliner summarized the coordination and liaison efforts which are intended to result in the implementation of existing transportation plans with an emphasis on low-cost actions. The Project Manager introduced Edward Green, Technical Studies Supervisor for the program, who explained the most important of the projects using wall maps. Mr. Green explained both physical and administrative projects which will implement the 21 transportation studies prepared by the department and other agencies since 1974. Chi-Hsin Shao, Planner II, presented the methodology that he has prepared for analyzing cumulative transportation impacts on the downtown area by high-rise office buildings for use by the office of Environmental Review. After Commission discussion Mr. Lubliner responded to questions and said that the final report would be presented in the spring.

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Commissioner Dearman thanked the staff for the report. President Rosenblatt asked whether anyone in the audience had any comments and there was no response.

The Director introduced the Acting Zoning Administrator, Daniel Sullivan, and the Acting Secretary, Robert Feldman, to the Commission and audience.

The Director presented the following five items to the Commission which had already been heard at the regular meeting of December 13, 1979, and were continued to enable the staff to prepare draft resolutions for consideration by the Commission. After Commission discussion, Wayne Rieke, Planner IV, and Mr. Sullivan, the Acting Zoning Administrator, responded to questions from the Commission. Commissioner Nakashima moved adoption, Commissioner Bierman seconded, and the five cases were adopted unanimously, with five subject gasoline service stations permitted to continue as non-conforming uses for five years. (Absent: Commissioners Boas, Starbuck)

CU79.71 - RESOLUTION AUTHORIZING THE EXTENSION, FOR A PERIOD NOT TO EXCEED FIVE (5) YEARS, OF NON-CONFORMING USE STATUS AT 3901 CALIFORNIA STREET, SOUTHWEST CORNER AT ARGUELLO BOULEVARD, LOT 46 IN ASSESSOR'S BLOCK 1361, FOR A NON-CONFORMING USE SERVICE STATION, IN AN RM-2 (MIXED RESIDENTIAL, MODERATE DENSITY) DISTRICT.

Adopted Resolution No. 8452 Vote: 5-0

CU79.72 - RESOLUTION AUTHORIZING THE EXTENSION, FOR A PERIOD NOT TO EXCEED FIVE (5) YEARS, OF NON-CONFORMING USE STATUS AT 1700 FELL STREET, NORTHWEST CORNER AT MASONIC AVENUE, LOT 6 IN ASSESSOR'S BLOCK 1209, FOR A NON-CONFORMING SERVICE STATION, IN AN RH-3 (HOUSE, THREE-FAMILY) DISTRICT.

Adopted Resolution No. 8453 Vote: 5-0

CU79.73 - RESOLUTION AUTHORIZING THE EXTENSION, FOR A PERIOD NOT TO EXCEED FIVE (5) YEARS, OF NON-CONFORMING USE STATUS AT 796 SOUTH VAN NESS AVENUE, NORTHWEST CORNER AT 19TH STREET, LOT 10 IN ASSESSOR'S BLOCK 3590, FOR A NON-CONFORMING USE SERVICE STATION, IN AN RH-3 (HOUSE, THREE-FAMILY) DISTRICT.

Adopted Resolution No. 8454 Vote: 5-0

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CU79.74 - RESOLUTION AUTHORIZING THE EXTENSION, FOR A PERIOD NOT TO EXCEED FIVE (5) YEARS, OF NON-CONFORMING USE STATUS AT 501 MONTEREY BOULEVARD, SOUTHWEST CORNER AT EDNA STREET, LOT 1 IN ASSESSOR'S BLOCK 3116, FOR A NON-CONFORMING USE SERVICE STATION, IN AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT.
Adopted Resolution No. 8455 Vote: 5-0

CU79.76 - RESOLUTION AUTHORIZING THE EXTENSION, FOR A PERIOD NOT TO EXCEED FIVE (5) YEARS, OF NON-CONFORMING USE STATUS AT 101 FARALLONES STREET, SOUTHWEST CORNER AT PLYMOUTH AVENUE, LOT 1 IN ASSESSOR'S BLOCK 7107, FOR A NON-CONFORMING USE SERVICE STATION, IN AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT.
Adopted Resolution No. 8456 Vote: 5-0

The Director reported that Alec Bash, Planner IV, the planner usually presenting commission cases, was on emergency leave because of a death in his immediate family. President Rosenblatt, on behalf of the Commission, extended its condolences.

Commissioner Nakashima requested that the staff calendar for the regular meeting of January 3rd the matter of the former International Hotel site and block for which a Citizen's Advisory Committee and staff have prepared guidelines for development. He asked that Manilatown and Chinatown groups be informed of the meeting to insure their participation.

At this point in the proceedings President Rosenblatt announced a brief recess. The meeting was again called to order at 2:38 P.M.

RS79.85 - REVIEW FOR CONSISTENCY WITH MASTER PLAN FOR 953 CLAYTON STREET, WEST SIDE BETWEEN PARNASSUS AVENUE AND 17TH STREET, LOT 7 IN ASSESSOR'S BLOCK 1279, FOR 6-UNIT CONDOMINIUM CONVERSION SUBDIVISION.
(Continued from Meeting of December 13, 1979)

The Director introduced James Miller, Planner II, who presented the case to the Commission, summarizing the case report and draft recommendation which had been heard at the regular meeting of December 13, 1979, and had been continued in order for staff to determine through research in city records whether the subject building was authorized as a 6-unit dwelling. Mr. Miller reported that his research indicated that the building was authorized for 6-unit occupancy and that the staff recommended a finding that the condominium conversion was consistent with the Master Plan, subject to specific conditions set forth in the draft resolution.

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Commissioner Bierman said that it was difficult for her to accept that a unit could rent for \$900 a month in that neighborhood. She asked if the applicant was present and no one in the audience responded. She questioned Mr. Miller about the occupancy and rentals in the building.

Commissioner Dearman asked about any views that might be a feature of the building and result in the existing rentals. She said that she could not vote for conversion of this building to condominium because such a vote would further increase the cost of housing in the city. She wished that there could be a stop to conversions for a time. She said she couldn't see how owners could make the necessary high payments on the units if the building was converted.

Commissioner Kronenberg said she was surprised by this application and asked about other condominiums in the neighborhood. Mr. Miller said there were a few small ones but no large ones nearby, as a result none had been to the Commission for a finding of consistency with the Master Plan.

Commissioner Bierman said that she remembered a similar item disapproved by the Commission in the Inner Sunset that had been found inconsistent by the Commission and by the Board. She said that uppermost for her was the need to implement the Plan for Residence and maintain the existing rental housing stock in the city, not just in one neighborhood. In her view this was the correct step to take on behalf of the city in order to keep the middle class in the city. She asked, "How can we say we are trying to do this if we allow for conversions?"

President Rosenblatt asked if there were any comments from the audience.

Carl San Jines, who identified himself as a resident of the area, rose and said he opposed the conversion of the building and said he thought it was not a lawful 6-unit building. Mr. Miller again described his research into the permit history of the building; research showed that the Bureau of Building Inspection had records indicating that their inspections in 1950 and 1971 determined that 6-unit occupancy was lawful.

After discussion Commissioner Nakashima moved that the draft resolution prepared by the staff for a finding of consistency with the Master Plan be adopted. No one seconded the motion and it died.

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Commissioner Dearman moved, and Commissioner Bierman seconded a motion to find that the application be found to be inconsistent with the Master Plan. After discussion the Commission voted 3 to 2 to approve the motion and adopted Resolution No. 8457 finding the application inconsistent with the Master Plan for the reasons expressed by Commissioner Bierman above. Commissioner Nakashima and President Rosenblatt voted against the motion.
(Absent: Commissioners Boas, Starbuck)

RS 79.81 - REVIEW FOR CONSISTENCY WITH MASTER PLAN OF 8-UNIT CONDOMINIUM CONVERSION SUBDIVISION AT 1430 PACIFIC AVENUE, NORTH SIDE BETWEEN HYDE AND LARKIN STREETS, LOT 12 IN ASSESSOR'S BLOCK 154.

James Miller, Planner II, introduced this matter by requesting a continuance of one week in order for the staff to study late arrived material concerning this application.

President Rosenblatt asked if the applicant agreed to the continuance and Mr. Roger Sobel, the applicant, answered from the audience that he agreed to the continuance.

Rai Y. Okamoto, the Director of Planning, said that there were technical inaccuracies in the application that had to be checked, and the facts verified. The applicant said that he could get the necessary information in by January 3 or 10. The Director recommended that the matter be placed on the January 10, 1980, calendar for hearing. President Rosenblatt said he was concerned about the 50-day limit on city action and Mr. Sobel, the applicant, agreed to waive the 50-day limit in this matter. Commissioner Dearman moved, and Commissioner Bierman seconded, a motion to continue the matter for hearing to the regular meeting of January 17, 1980. The motion carried unanimously.
(Absent: Commissioners Boas, Starbuck)

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RS79.89 - REVIEW FOR CONSISTENCY WITH MASTER PLAN OF 6-UNIT CONDOMINIUM CONVERSION SUBDIVISION AT 2634 OCTAVIA STREET, EAST SIDE BETWEEN GREEN AND VALLEJO STREETS, LOT 18 IN ASSESSOR'S BLOCK 553.

James Miller, Planner II, presented the case to the Commission, summarizing the facts set forth in the case report that had been prepared by staff. He said in answer to a question from the Commission concerning monthly payments that would be necessary if conversion was approved, that one could figure that 12% of the selling price would be the average annual cost to the owner of a unit and that 1% would be the monthly payment. He gave as example the selling price of \$100,000 for which a condominium owner would expect to make \$1,000 a month payments.

Commissioner Bierman asked that in the future the staff should include in its analysis of such cases the new higher interest rates and the monthly costs involved in conversions. These applications seemed to be doubling and tripling the costs of the same living space for the residents of the units. She said in a case like the one before them the present monthly rental of \$450 would rise to \$1,000 as a converted unit and that this was too great an increase. She said it was important to the viability of the city's neighborhoods that a variety of economic classes be encouraged to remain in the neighborhoods and condominium conversions of this type would serve to drive out of the neighborhoods all but the wealthiest people.

President Rosenblatt asked if the applicant was present. Bart Seidler, attorney for the applicant, rose and said that his client had five intent-to-purchase forms signed by tenants and that the fifth had just been received and was not yet submitted to the department. He said that the other tenant intends to stay also. The tenants purchasing intend to pay a substantial portion of the price in cash. He concluded by saying the units are comparable to units in the area selling for more than \$50,000.

Commissioner Bierman said that all the new units being built were built as condominiums and that the professionals who wanted to buy their units had an adequate supply without any apartment buildings being converted to condominiums. She said it was traditional for people to come to the city and rent, and after they were settled they would buy homes here. If the rental stock were all converted then this could not continue since young people moving to the city rarely had the resources to purchase an apartment. She said she had recently spoken to a young saleswoman downtown who had told her that she had to move to Oakland since there were no apartments for less than \$450 a month in the city.

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She noted the recent approval of a major condominium project at the Playland site and noted that no new shelter of the rental type was being created to replace the units lost through conversion.

Mr. Seidler said that he agreed with Commissioner Bierman but that the professionals in this building wanted to both own their units and to remain in this particular building.

Commissioner Dearman said she was concerned about the selling prices partly because the building has no garages. Mr. Seidler said he thought the prices were reasonable.

Commissioner Bierman said she felt that the language of the Residence Element of the Master Plan which said that there should be a choice of housing was especially significant to her.

President Rosenblatt asked if anyone else in the audience wanted to speak and no one responded.

Commissioner Nakashima moved that the draft resolution prepared by staff for a finding of consistency with the Master Plan, subject to certain conditions, be approved. There being no second, the motion died.

Commissioner Dearman moved, Commissioner Bierman seconded, and the Commission, after discussion, adopted as Resolution No. 8458, that the application be found to be inconsistent with the master plan for the reasons stated earlier by Commissioners Bierman and Dearman. Voting no: Commissioners Nakashima and Rosenblatt. (Absent: Commissioners Boas, Starbuck)

RS79.102 - REVIEW FOR CONSISTENCY WITH MASTER PLAN OF 6-UNIT CONDOMINIUM CONVERSION SUBDIVISION AT 422-26 14TH STREET, NORTH SIDE BETWEEN VALENCIA AND GUERRERO STREETS, LOT 12 IN ASSESSOR'S BLOCK 3533.

James Miller, Planner II, presented the case to the Commission summarizing the case report that had been prepared by the staff. He said that the staff recommended a finding that the application was consistent with the Master Plan, subject to certain conditions.

President Rosenblatt asked if the Commission had any questions and there was no response. He then asked if anyone in the audience wanted to speak and Janice A. Hauntzsche, the owner and applicant, rose and said that she had nothing to add to what Mr. Miller had said.

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Commissioner Dearman asked where the sales prices had come from and Mr. Miller answered that he had reported them as they were shown on the application. She then commented on the fact that a \$30 per month difference of rent meant a \$16,000 difference in the sales price of the unit.

President Rosenblatt noted that there were several figures on the draft resolution that should be changed. Commissioner Kronenberg added that the number of units was inaccurate on the draft document.

Commissioner Bierman said that while she intended to vote a finding of inconsistency with the Master Plan, this case was a harder one because the prices were a bargain for someone with the down payment. However, the principles of the Residence Plan and the terrible shortage of rental housing meant she would vote against the application.

President Rosenblatt asked if anyone else wishes to speak and no one responded.

Commissioner Dearman moved, and Commissioner Bierman seconded, a motion to find that the application was not consistent with the Master Plan. The Commission voted 3-2 to adopt as Resolution No. 8459 a finding of "not consistent" for the reasons expressed earlier by the members voting in favor of the motion. President Rosenblatt and Commissioner Nakashima voted against the motion, and Commissioners Bierman, Dearman and Kronenberg voted in favor. (Absent: Commissioners Boas, Starbuck)

ZT79.3 - CONSIDERATION OF TEXT AMENDMENT INITIATED BY THE BOARD OF SUPERVISORS TO ESTABLISH CONDITIONAL USE REQUIREMENTS FOR COMMERCIAL ELECTRONIC TRANSMITTING AND RECEIVING ANTENNAE WITHIN 1000 FEET OF RESIDENTIAL DISTRICTS AND TO MODIFY SECTION 227 (H) OF THE CITY PLANNING CODE SO AS TO CLEARLY STATE THE TYPE, SIZE AND CHARACTER OF WIRELESS TRANSMISSION FACILITIES THAT PRESENTLY REQUIRE CONDITIONAL USE AUTHORIZATION IN ALL ZONING DISTRICTS.

Daniel Sullivan, Acting Zoning Administrator introduced Sidney Shaw, Planner III, for the presentation of this case.

President Rosenblatt said that he had before him four requests from opponents of the legislation that the matter be postponed for public hearing. Rai Okamoto recommended that the matter be continued to a meeting in early January, 1980. President Rosenblatt asked if anyone representing the neighborhood groups in favor of the legislation wished to comment on a continuance.

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Anne Halstead, of the Telegraph Hill Dwellers, rose and said that she felt the groups involved would want a continuance so that more of them could participate in the hearing. She noted that she seemed to be the only neighborhood representative in attendance.

President Rosenblatt asked the Acting Zoning Administrator whether any permit applications were pending that would be affected by the legislation. Mr. Sullivan said that to the best of his knowledge there were none. He said that permit applications for antennae that might be covered by the proposal had recently been approved by the department but that these dish antennae were in fact below the roof line of the building, the former Mastercharge Building, now to be used for the offices and studios of a broadcaster.

Harry Warner, general counsel for the Broadcasters Association, rose and said that his client would appreciate the matter being rescheduled for the last Thursday in January because the California Broadcasters had a convention during the middle of January.

The Director recommended the matter be reset for January 31, 1980. President Rosenblatt asked if Mr. Shaw would present the case at that time and Mr. Shaw said that he wasn't sure he was available at that time.

President Rosenblatt asked the Director whether any action was necessary in order that any permit applications that would be subject to the proposals be brought to the Commission under their power of discretionary review until the hearing was held and the matter acted upon. Mr. Sullivan responded that the staff would bring any application that was so subject to the legislation to the Commission and that any of this type of case would be calendared as a matter for consideration and that the Commission could then decide whether to take the matter for a discretionary review hearing or not. President Rosenblatt asked Mr. Warner and Mr. Smiley, his client, the sender of one of the requests for continuance, whether they understood what was meant by "discretionary review" and they responded in the affirmative.

Commissioner Nakashima moved that the matter be continued for presentation and public hearing on January 31, 1980, Commissioner Dearman seconded, and the motion carried unanimously.
(Absent: Commissioners Boas, Starbuck)

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Ms. Halstead asked that the Commission use its discretionary power in this matter. President Rosenblatt instructed the staff to set for Commission consideration any permit application for any antennae that would be subject to the legislation.

The Commission recessed for 13 minutes and reconvened at 3:35 P.M.

President Rosenblatt asked whether anyone was present to speak on the Bayview Industrial Triangle Redevelopment Project matter and no one responded. As there were no objections from the Commission or from the audience Item 13 on the Calendar was taken up next, out of order.

CONSIDERATION OF ADOPTION OF THE PRELIMINARY PLAN FOR
THE BAYVIEW INDUSTRIAL TRIANGLE REDEVELOPMENT PROJECT.
(CONTINUED FROM THE MEETING OF DECEMBER 13, 1979)

George Williams, Assistant Director for Plans and Programs, said that the matter had been continued from the meeting of December 13, 1979, because insufficient public notice of the December 13th meeting had been given. He distributed copies to the Commission members, including a map of the project area to be attached as page 8 of the "Preliminary Plan/Bayview Industrial Triangle Redevelopment Project" report.

After discussion, Commissioner Bierman moved, Commissioner Nakashima seconded and the Commission unanimously adopted as Resolution No. 8460 the amendments to their resolution of October 11, 1979, Resolution No. 8394, correcting the boundaries of the project area and formulating the preliminary plan for submittal by the Director to the Redevelopment Agency pursuant to the requirements of the Community Development Law of the State of California.

CU79.15 - REQUEST FOR AUTHORIZATION OF CONDITIONAL USE AT
3000 FOLSOM STREET, WITH FRONTAGE ON ARMY AND SHOT-
WELL STREETS, SOUTHWEST CORNER AT 26TH STREET, LOT
1 IN ASSESSOR'S BLOCK 6572, TO PERMIT CONTINUATION
OF USE OF FORMER COGSWELL COLLEGE FACILITY BY MISSION
CHILDCARE CONSORTIUM FOR CHILD CARE AND BY
S.F.Y.W.C.A. HEADSTART, IN AN RH-3 (HOUSE, THREE-
FAMILY) DISTRICT.
(CONTINUED FROM MEETING OF NOVEMBER 1, 1979)

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James Miller, Planner II, presented this case which had first been heard by the Commission on November 1, 1979. Mr. Miller summarized the case report before the Commission and distributed to them copies of a draft resolution for approval of the project, subject to certain conditions.

President Rosenblatt asked whether anyone in the audience wished to speak in opposition to the proposed continuation of the child-care and other non-profit use of the old Cogswell College site. No one responded.

Mr. Ellers, Chairman of the Board of Cogswell College, the owner of the property, rose and said that he had seen a copy of the draft before the Commission and requested that it be amended to allow for a delay for execution of at least one year because Cogswell hoped that in that period they could sell it. He said a new owner would put the property to different use and would be subject to Commission and staff review which would result in more improvements to the property. He noted that they had the property for sale for the past five years to no effect. Because of increasing costs and diminishing enrollments the landscaping required by the staff would put an onerous burden on the school.

President Rosenblatt asked whether the property was being sold subject to the existing leases. Mr. Ellers responded in the affirmative.

Mr. Sullivan, the Acting Zoning Administrator, said that a similar situation existed with the University of San Francisco where their gymnasium has a variety of uses in it subject to review by the department, and in certain cases, the Commission; in that case there has been good cooperation between staff and institution.

Mr. Ellers said that since only 30% of the site is covered by buildings, that in all probability any new owner would develop far more of the area, and thereby bring himself under the jurisdiction of the Commission, since this was residentially zoned property.

President Rosenblatt asked that Condition No. 1 be amended so that this authorization would be for Cogswell College, the present owner, only, and not be transferable. Mr. Sullivan suggested that the words "granted to Cogswell College" be inserted in line 1 of Condition No. 1 after the word "shall" in order to limit the authorization to the present owner.

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After further discussion the draft resolution as amended was moved by Commissioner Dearman, seconded by Commissioner Bierman, and unanimously adopted as Resolution No. 8461 to allow continuation of the present childcare and other non-profit uses of the subject property, subject to the two conditions set forth in the draft as amended.

(Absent: Commissioners Boas, Starbuck)

Mr. Sullivan suggested that Mr. Ellers contact the Mayor's office about a Neighborhood Initiated Improvement Program grant to assist in supplying the required landscaping.

The meeting was adjourned at 3:56 P.M.

Respectfully submitted,

Robert H. Feldman
Acting Secretary

